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# MODERN CHINESE HISTORY SELECTED READINGS

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KING GEORGE III'S EMBASSY UNDER CHINESE CONVOY SAILING UP THE PEI-HO ON ITS WAY TO PEKING

# 英文中國近代歷史文選

# MODERN CHINESE HISTORY SELECTED READINGS

A COLLECTION OF EXTRACTS FROM VARIOUS SOURCES CHOSEN TO ILLUSTRATE SOME OF THE CHIEF PHASES OF CHINA'S INTERNATIONAL RELATIONS DURING THE PAST HUNDRED YEARS

BY

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FRIENDS AND COLLEAGUES

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# PREFACE

In the process of learning history the student should, from the outset be led to realize that it is a subject not to be read from the point of view of one person only. The danger of the textbook habit is that the student—and, it is to be feared, sometimes the instructor—falls into the error of thinking that he knows "ancient," or "medieval," or "modern" history when he has covered a year's work with a text bearing these words on the title-page. The field of history is so vast that the great majority of us can cover but a little ground. Leisure is necessary to go deeply into even a brief period. Hence in order to span civilized man's life upon the globe the text of the "Handy Manual" type is ordinarily used.

Fortunately, with the growth of interest in history during the past half century, not only have the texts developed in accuracy, style, and general interest to a notable degree, but the need for getting away from the one-man point of view, and for the consultation of sources, has been realized and acted upon as never before. It is obvious that the opinions of those who witness or participate in events are of peculiar value. Life and reality are approached by the study of the thoughts of contemporaries as they cannot be in the coldly impartial products of scholars brought forth generations after an incident or a development has taken place. This is of course not to belittle the value of scholarly work—too much of that it is impossible to get. But the teacher can hardly begin too soon to encourage his classes to read widely for varying points of view, and to go to the sources for the thoughts, the customs, and the deeds of those who have "made" history.

The need for some such compilation as the present one was suggested by the giving of a course to college students on the subject of China's international relations of the

nineteenth and twentieth centuries. So far as is known to the writer no such collection has hitherto been published, in spite of the rich stores which merely await the seeker, and in spite of the need of students for such introductory material as is here presented.

Simple as the task of collecting and putting the material into presentable form may seem, it has taken a considerable part of the editor's spare time during more than three academic years. Of the works from which selections have been chosen a large number are to be found only in libraries specially equipped for the study of Far Eastern affairs. Many are now out of print. Selections have, however, been made for the later chapters from more recent sources of information. To the authors and publishers of these thanks are due. Especially is this so in the cases of Sir Edmund T. Backhouse and Mr. B. Lennox Simpson, of Peking, who have graciously given permission for the use of selections from several of their valuable works. To the *Asia Magazine Incorporated* for the use of the handsome illustration used as a frontispiece; to Mrs. F. Ayscough, Hon. Librarian, and to Messrs. Woo and Chao, of the Royal Asiatic Society Library of Shanghai; to the staff of the St. John's University Library; to my former assistant, Mr. Yui Oong-kyuin; to Professor Donald Roberts, of St. John's University, for his painstaking care in reading the proofs; and to my mother and sister for aid in putting the book through the press, I wish to express grateful appreciation.

H. F. M.

*St. John's University*
*Shanghai, China*
*June 12, 1923*

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# MODERN CHINESE HISTORY
## SELECTED READINGS

### CHAPTER I

### INTRODUCTION: THE BACKGROUND OF CHINA'S FOREIGN RELATIONS

*Section 1. The Viewpoint of China in Her Dealings with the West*

In 1793 Earl Macartney headed the first embassy from the king of England to the emperor of China. It had for its object the improvement of commercial relations between the two countries. The mission, although ostensibly considered by the Chinese as "tribute-bearing," received every courtesy. The emperor Ch'ien Lung was at Jehol when Lord Macartney reached Peking, and to this place the latter repaired. Here, and later in Peking, he was received in audience, the ceremony of the kotow being waived on Lord Macartney's refusal to perform it. The mission accomplished nothing definite, but it showed the Chinese that the English were not wholly barbarous.

The following mandates* and letter from Ch'ien Lung to George III show clearly the attitude of the Chinese and the Manchus toward Westerners and indeed all foreigners. The first mandate was issued a few days after the first audience at Jehol and the other documents a short time later.

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*Published by permission of Sir Edmund T. Backhouse, translator of the documents.

1. The emperor Ch'ien Lung's "mandates" to King George III

"You, O King, live beyond the confines of many seas, nevertheless, impelled by your humble desire to partake of the benefits of our civilisation, you have dispatched a mission respectfully bearing your memorial. Your Envoy has crossed the seas and paid his respects at my Court on the anniversary of my birthday. To show your devotion, you have also sent offerings of your country's produce.

*Li Ung Bing's "Outlines of Chinese History"*

RECEPTION OF LORD MACARTNEY BY EMPEROR CH'IEN LUNG

King George's humility is appreciated by the emperor

"I have perused your memorial: the earnest terms in which it is couched reveal a respectful humility on your part, which is highly praiseworthy. In consideration of the fact that your Ambassador and his deputy have come a long way with your memorial and tribute, I have shown them high favour and have allowed them to be introduced into my presence. To manifest my indulgence, I have entertained them at a banquet and made them numerous gifts. I have also caused presents to be forwarded to the Naval Commander and six hundred of his officers and men, although they did not come to Peking, so that they too may share in my all-embracing kindness.

No English envoy may reside in Peking

"As to your entreaty to send one of your nationals to be accredited to my Celestial Court and to be in control of your country's trade with China, this request is contrary to all usage of my dynasty and cannot possibly be entertained. It is true that Europeans, in the service of the dynasty, have been permitted to live at Peking, but they are compelled to adopt Chinese dress, they are strictly confined to their own precincts and are never permitted to return home. You are presumably familiar with our dynastic regulations. Your proposed Envoy to my Court could not be placed in a position

similar to that of European officials in Peking who are forbidden to leave China, nor could he, on the other hand, be allowed liberty of movement and the privilege of corresponding with his own country; so that you would gain nothing by his residence in our midst.

"Moreover, Our Celestial dynasty possesses vast territories, and tribute missions from the dependencies are provided for by the Department for Tributary States, which ministers to their wants and exercises strict control over their movements. It would be quite impossible to leave them to their own devices. Supposing that your Envoy should come to our Court, his language and national dress differ from that of our people, and there would be no place in which to bestow him. It may be suggested that he might imitate the Europeans permanently resident in Peking and adopt the dress and customs of China, but, it has never been our dynasty's wish to force people to do things unseemly and inconvenient. Besides, supposing I sent an Ambassador to reside in your country, how could you possibly make for him the requisite arrangements? Europe consists of many other nations besides your own: if each and all demanded to be represented at our Court, how could we possibly consent? The thing is utterly impracticable. How can our dynasty alter its whole procedure and system of etiquette, established for more than a century, in order to meet your individual views? If it be said that your object is to exercise control over your country's trade, your nationals have had full liberty to trade at Canton for many a year, and have received the greatest consideration at our hands. Missions have been sent by Portugal and Italy, preferring similar requests. The Throne appreciated their sincerity and loaded them with favours, besides authorising measures to facilitate their trade with China. You are no doubt aware that, when my Canton merchant, Wu Chao-ping, was in debt to the foreign ships, I made the Viceroy advance the monies due, out of the provincial treasury, and ordered him to punish the culprit severely. Why then should foreign nations advance this utterly unreasonable request to be represented at my Court? Peking is nearly two thousand miles from Canton, and at such a distance what possible control could any British representative exercise?

**China could never send resident envoys to Europe**

"If you assert that your reverence for Our Celestial dynasty fills you with a desire to acquire our civilisation, our ceremonies and code of laws differ so completely from your own that, even if your Envoy were able to acquire the rudiments of our civilisation, you could not possibly transplant our manners and customs to your alien soil. Therefore, however adept the Envoy might become, nothing would be gained thereby.

"Swaying the wide world, I have but one aim in view, namely, to maintain a perfect governance and to fulfil the duties of the State: strange and costly objects do not interest me. If I have commanded that the tribute offerings sent by you, O King, are to be accepted, this was solely in consideration for the spirit which prompted you to dispatch them from afar. Our dynasty's majestic virtue has penetrated unto every country under Heaven, and Kings of all nations have offered their costly tribute by land and sea. As your Ambassador can see for himself, we possess all things. I set no value on objects strange or ingenious, and have no use for your country's manufactures. This then is my answer to your request to appoint a representative at my Court, a request contrary to our dynastic usage, which would only result in inconvenience to yourself. I have expounded my wishes in detail and have commanded your tribute Envoys to leave in peace on their homeward journey. It behoves you, O King, to respect my sentiments and to display even greater devotion and loyalty in future, so that, by perpetual submission to our Throne, you may secure peace and prosperity for your country hereafter. Besides making gifts (of which I enclose an inventory) to each member of your Mission, I confer upon you, O King, valuable presents in excess of the number usually bestowed on such occasions, including silks and curios—a list of which is likewise enclosed. Do you reverently receive them and take note of my tender goodwill towards you! A special mandate."

China has all that it needs or wants: foreign goods not desired

A further mandate to King George III dealt in detail with the British Ambassador's proposals and the Emperor's reasons for declining them: "You, O King, from afar have yearned after the blessings of our civilisation, and in your eagerness to come into touch with our converting influence have sent an Embassy across the sea bearing a memorial. I have already taken note of your respectful spirit of submission, have treated your mission with extreme favour and loaded it with gifts, besides issuing a mandate to you, O King, and honouring you with the bestowal of valuable presents. Thus has my indulgence been manifested.

England's desire for Chinese culture is praiseworthy

"Yesterday your Ambassador petitioned my Ministers to memorialise me regarding your trade with China, but his proposal is not consistent with our dynastic usage and cannot be entertained. Hitherto, all European nations, including your own country's barbarian merchants, have carried on their trade with Our Celestial Empire at Canton. Such has been the procedure for many years, although Our Celestial Empire possesses all things in prolific abundance and lacks no product within its own borders. There was therefore no need to import the manufactures of outside barbarians

in exchange for our own produce. But as the tea, silk and porcelain which the Celestial Empire produces, are absolute necessities to European nations and to yourselves, we have permitted, as a signal mark of favour, that foreign *hongs* should be established at Canton, so that your wants might be supplied and your country thus participate in our beneficence. But your Ambassador has now put forward new requests which completely fail to recognise the Throne's principle to 'treat strangers from afar with indulgence,' and to exercise a pacifying control over barbarian tribes, the world over. Moreover, our dynasty, swaying the myriad races of the globe, extends the same benevolence towards all. Your England is not the only nation trading at Canton. If other nations, following your bad example, wrongfully importune my ear with further impossible requests, how will it be possible for me to treat them with easy indulgence? Nevertheless, I do not forget the lonely remoteness of your island, cut off from the world by intervening wastes of sea, nor do I overlook your excusable ignorance of the usages of Our Celestial Empire. I have consequently commanded my Ministers to enlighten your Ambassador on the subject, and have ordered the departure of the mission. But I have doubts that, after your Envoy's return he may fail to acquaint you with my view in detail or that he may be lacking in lucidity, so that I shall now proceed to take your requests *seriatim* and to issue my mandate on each question separately. In this way you will, I trust, conprehend my meaning.

China's goods are an absolute necessity to Europe, therefore trade is permitted at Canton

"(1) Your Ambassador requests facilities for ships of your nation to call at Ningpo, Chusan, Tientsin and other places for purposes of trade. Until now trade with European nations has always been conducted at Aomen,* where the foreign *hongs* are established to store and sell foreign merchandise. Your nation has obediently complied with this regulation for years past without raising any objection. In none of the other ports named have *hongs* been established, so that even if your vessels were to proceed thither, they would have no means of disposing of their cargoes. Furthermore, no interpreters are available, so you would have no means of explaining your wants, and nothing but general inconvenience would result. For the future, as in the past, I decree that your request is refused and that the trade shall be limited to Aomen.

Lord Macartney 's requests dealt with separately:

Trade limited to Aomen

"(2) The request that your merchants may establish a repository in the capital of my Empire for the storing and sale of your produce, in accordance with the precedent granted to Russia, is even more impracticable than the last. My

No business transactions in Peking

* Macao [Ed. note].

capital is the hub and centre about which all quarters of the globe revolve. Its ordinances are most august and its laws are strict in the extreme. The subjects of our dependencies have never been allowed to open places of business in Peking. Foreign trade has hitherto been conducted at Aomen, because

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CH'IEN LUNG

it is conveniently near to the sea, and therefore an important gathering place for the ships of all nations sailing to and fro. If warehouses were established in Peking, the remoteness of your country lying far to the north-west of my capital, would render transport extremely difficult. Before Kiakhta was opened, the Russians were permitted to trade at Peking, but the accommodation furnished to them was only temporary. As soon as Kiakhta was available, they were compelled to withdraw from Peking, which has been closed to their trade

these many years. Their frontier trade at Kiakhta is on all fours with your trade at Aomen. Possessing facilities at the latter place, you now ask for further privileges at Peking, although our dynasty observes the severest restrictions respecting the admission of foreigners within its boundaries, and has never permitted the subjects of dependencies to cross the Empire's barriers and settle at will amongst the Chinese people. This request is also refused.

No cession of territory

"(3) Your request for a small island near Chusan, where your merchants may reside and goods be warehoused, arises from your desire to develop trade. As there are neither foreign *hongs* nor interpreters in or near Chusan, where none of your ships have ever called, such an island would be utterly useless for your purposes. Every inch of the territory of our Empire is marked on the map and the strictest vigilance is exercised over it all: even tiny islets and far-lying sandbanks are clearly defined as part of the provinces to which they belong. Consider, moreover, that England is not the only barbarian land which wishes to establish relations with our civilisation and trade with our Empire: supposing that other nations were all to imitate your evil example and beseech me to present them each and all with a site for trading purposes, how could I possibly comply? This also is a flagrant infringement of the usage of my Empire and cannot possibly be entertained.

Conditions at Aomen and Canton to remain as hitherto

"(4) The next request, for a small site in the vicinity of Canton city, where your barbarian merchants may lodge or, alternatively, that there be no longer any restrictions over their movements at Aomen, has arisen from the following causes. Hitherto, the barbarian merchants of Europe have had a definite locality assigned to them at Aomen for residence and trade, and have been forbidden to encroach an inch beyond the limits assigned to that locality. Barbarian merchants having business with the *hongs* have never been allowed to enter the city of Canton; by these measures, disputes between Chinese and barbarians are prevented, and a firm barrier is raised between my subjects and those of other nations. The present request is quite contrary to precedent; furthermore, European nations have been trading with Canton for a number of years and, as they make large profits, the number of traders is constantly increasing. How would it be possible to grant such a site to each country? The merchants of the foreign *hongs* are responsible to the local officials for the proceedings of barbarian merchants and they carry out periodical inspections. If these restrictions were withdrawn, friction would inevitably occur between the Chinese and your barbarian subjects, and the results would militate against the benevolent regard that I feel towards you. From every

point of view, therefore, it is best that the regulations now in force should continue unchanged.

Equal and just dues for all nations

"(5) Regarding your request for remission or reduction of duties on merchandise discharged by your British barbarian merchants at Aomen and distributed throughout the interior, there is a regular tariff in force for barbarian merchants' goods, which applies equally to all European nations. It would be as wrong to increase the duty imposed on your nation's merchandise on the ground that the bulk of foreign trade is in your hands, as to make an exception in your case in the shape of specially reduced duties. In future, duties shall be levied equitably without discrimination between your nation and any other, and, in order to manifest my regard, your barbarian merchants shall continue to be shown every consideration at Aomen.

Ships' duties payable at Canton

"(6) As to your request that your ships shall pay the duties leviable by tariff, there are regular rules in force at the Canton Customhouse respecting the amounts payable, and since I have refused your request to be allowed to trade at other ports, this duty will naturally continue to be paid at Canton as heretofore.

Propagation of Christianity forbidden

"(7) Regarding your nation's worship of the Lord of Heaven, it is the same religion as that of other European nations. Ever since the beginning of history, sage Emperors and wise rulers have bestowed on China a moral system and inculcated a code, which from time immemorial has been religicusly observed by the myriads of my subjects. There has been no hankering after heterodox doctrines. Even the European (missionary) officials in my capital are forbidden to hold intercourse with Chinese subjects; they are restricted within the limits of their appointed residences, and may not go about propagating their religion. The distinction between Chinese and barbarian is most strict, and your Ambassador's request that barbarians shall be given full liberty to disseminate their religion is utterly unreasonable.

Ch'ien Lung's friendliness and condescension

"It may be, O King, that the above proposals have been wantonly made by your Ambassador on his own responsibility, or peradventure you yourself are ignorant of our dynastic regulations and had no intention of transgressing them when you expressed these wild ideas and hopes. I have ever shown the greatest condescension to the tribute missions of all States which sincerely yearn after the blessings of civilization, so as to manifest my kindly indulgence. I have even gone out of my way to grant any requests which were in any way consistent with Chinese usage. Above all, upon you, who live in a remote and inaccessible region, far across the spaces of ocean, but who have shown your submissive loyalty by sending this tribute mission, I have heaped benefits far in excess of those accorded to other nations. But the demands

presented by your Embassy are not only a contravention of dynastic tradition, but would be utterly unproductive of good result to yourself, besides being quite impracticable. I have accordingly stated the facts to you in detail, and it is your bounden duty reverently to appreciate my feelings and to obey these instructions henceforward for all time, so that you may enjoy the blessings of perpetual peace. If, after the receipt of this explicit decree, you lightly give ear to the representations of your subordinates and allow your barbarian merchants to proceed to Chêkiang and Tientsin, with the object of landing and trading there, the ordinances of my Celestial Empire are strict in the extreme, and the local officials, both civil and military, are bound reverently to obey the law of the land. Should your vessels touch the shore, your merchants will assuredly never be permitted to land or to reside there, but will be subject to instant expulsion. In that event your barbarian merchants will have had a long journey for nothing. Do not say that you were not warned in due time! Tremblingly obey and show no negligence! A special mandate!"

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CH'IEN LUNG IN HIS CHAIR OF STATE

As is well known, the ceremony of the kotow was waived by Chi'en Lung in deference to Earl Macartney's objections, but the Manchus subsequently declared, and to this day

affect to believe, that, when the Ambassador entered His Majesty's presence, he was so overcome with awe and nervousness, that his legs gave way under him, so that he grovelled abjectly on the ground, thus to all intents and purposes performing an involuntary kotow.

Ch'ien Lung's letter to King George III, 1796

Finally, two days before his abdication, in 1796, the Emperor addressed the following letter to King George III:

"Chu Kuei (Viceroy of Canton) memorialises Us that the King of England has forwarded a memorial with tribute. Two years ago, on the occasion of the tribute mission from the King coming to Peking, We conferred upon him many valuable presents, so he has now dispatched a further memorial with offerings of tribute, thus indicating his loyal sincerity. We raised absolutely no objection to the fact of his having omitted to send a mission on this occasion, and are graciously pleased to accept his offerings. In addition, We bestow upon him the following mandate: Your nation is inaccessible, lying far beyond the dividing seas, but you sent a mission with a memorial and tribute to pay homage at Our Court, and We, in recognition of your loyal sincerity, conferred upon you Our mandate and valuable gifts, as evidence of Our satisfaction. Now, O King, you have again prepared a memorial and offerings, which have been conveyed by your barbarian vessels to Canton and transmitted to Us. Your reverent submission to Our person is manifest. Our Celestial dynasty, which sways the wide world, attaches no value to the costly presents which are offered at Our Court: what We appreciate is the humble spirit of the offerers. We have commanded Our Viceroy to accept your tribute in order that your reverence may be duly recognised.

Reference to affairs in Nepal

"As regarding Our sending of a punitive expedition to Nepal, Our Commander-in-chief marched at the head of a great army into that country, occupied the chief strategic points, and terrified the Ghoorkas into grovelling submission to Our majestic Empire. Our Commander-in-chief duly memorialised Us, and We, whose Imperial clemency is world-wide, embracing Chinese and foreigners alike, could not endure the thought of exterminating the entire population of the country. Accordingly We accepted their surrender. At that time Our Commander-in-chief duly informed Us of your having dispatched a mission into Tibet, with a petition to Our Resident, stating that you had advised the Nepalese to surrender. But at the time of your petition Our troops had already gained a complete victory and the desired end had been attained. We were not obliged to trouble your troops to render assistance. You allude to this matter in your present memorial, but are doubtless ignorant of the precise course of events in Nepal, as your tribute mission was on

its way to Peking, at the time of these occurrences. Nevertheless, O King, you entertained a clear perception of your duty towards Us, and your reverent acknowledgement of Our dynasty's supremacy is highly praiseworthy.

"We therefore now bestow upon you various costly gifts. Do you, O King, display even more energetic loyalty in future and endeavour to deserve for ever Our gracious affection, so that we may conform to Our earnest resolve to pacify distant tribes and to manifest Our Imperial clemency.

King George encouraged to be "loyal"

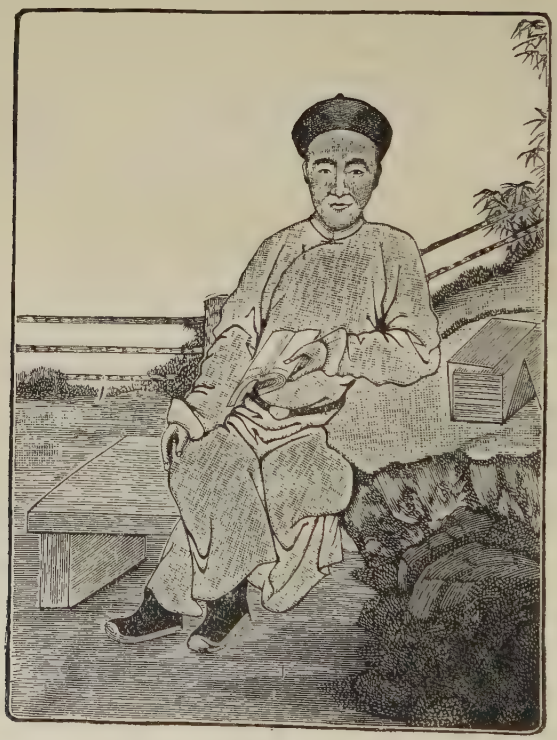
"Chu Kuei is to hand this mandate to your Agent, for transmission to yourself, in order that you may be encouraged to display still greater gratitude and reverent submission hereafter, in acknowledgement of Our indulgence.

"It is contrary to Our dynastic ordinances for Our officials to enter into social relations with barbarians, and Chu Kuei acted therefore quite properly in returning the presents which were sent to the former Viceroy and Superintendent of Customs at Canton."

In 1816 the second English embassy to the court of China reached Peking under the leadership of Lord Amherst. It arrived and departed on the same day—August 29. The ambassador had been hurried from Tientsin to the Summer Palace ahead of his baggage. On arrival he was told that he was to present himself immediately. This he refused to do, being fatigued by travel and heat as well as without proper uniforms and the presentation gifts. Accordingly he was dismissed and ordered to return to the coast. The only plausible explanation of such treatment seems to be that the officials had promised the emperor that the ambassador would perform the kotow, or prostrations before the throne. On learning that Lord Amherst firmly refused to demean himself and his sovereign in this fashion the officials saved their face by finding an excuse to prevent the audience. The mission served only to illustrate the attitude of China toward the Western powers.

The selection which follows was written by Yuen Fuh-siuen, who ruled as king of Cochin China during the first half of the nineteenth century. The *Summary of*

*the Histories of the Dynasties by the Hand of Royalty* takes the point of view in this instance that the court of Peking erred in over-condescension to the "English barbarians" and that all the later troubles due to "the pride and intractability of the barbarians of the seas" are to be traced to this cause.



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KIA K'ING

**2. The king of Cochin China on the Amherst Embassy**

TEXT.—"What do we hear? An envoy coming in from the outer nation *Yingkili* [England], deceives the emperor; presented, he keeps his person erect, and departs without performing any obeisance. Is this the form of things that should be?"

COMMENTARY.—"In the 20th year of Kia K'ing [1815–16], an envoy, with tribute from England, arrived at Tientsin.

Sugoghch and Kwang Hwui were commanded to signify to him that the emperor was pleased to bestow on him a banquet. They desired him to return thanks for it, falling on his knees thrice, and striking his head nine times, as the rite requires; which done he was to enter the capital. The envoy refused. Sugogheh and his colleague attempted to constrain him, but did not succeed, and without representation on the subject brought him on at once. When he reached the capital, Hoshiht'ai was commanded to exercise him in the ceremony [*sc.*, of prostration]; but the envoy said he was quite perfect in it and when presented would be sure to be able to perform it according to the rite. Hoshiht'ai, believing his words, hastened to apply to the emperor for permission to introduce him. But when the day came on which the emperor desired him to appear, the envoy made no obeisance [or did not salute, did not pay his respects], but departed. The emperor thrice inquired for him, and Hoshiht'ai thrice replied that he was ill. The emperor, enraged, commanded a physician to visit the envoy; but the envoy was already gone some distance. He was pursued to Kwang Tung, and there escorted on board the ship in which he returned to his country. Now the emperor of China is the common ruler of the empire; England is a single, small barbarian state: and was it the form of things that should be, that when the envoy of the latter gave himself such airs as these, the government of China, so far from being able to punish his crime, should actually go the length of escorting him home? Herein we find the origin of the pride and intractability of the barbarians of the seas."

The difficulties of intercourse between Chinese and foreigners during the earlier period must be considered from the legal point of view. Few writers on China have approached this problem in a more dispassionate manner and dealt with it more justly than John Robert Morrison (1782–1834), the pioneer of Protestant missionary work in China. He and many others met and suffered the very difficulties here mentioned.

3. Dr. Morrison on the spirit of Chinese laws

That the foreign visitor in China should form a right estimate of the feelings and conduct of the natives respecting himself, and have just expectations on that subject, it is necessary that he should know their *legal condition* as regards intercourse with foreigners; for much of their behavior must

be attributed to that, and not to their natural disposition. This knowledge will prevent the visitor from entertaining too high expectations, on the one hand; or, on the other hand, dealing out unjust blame, when such expectations are disappointed. When ignorant of the laws of a country, we are very naturally guided by what we consider reasonable. But when law speaks, reason must be silent; for whether the law be reasonable or otherwise, it insists on being first heard. And in what nation are there not many unreasonable laws!

Punishments meted out to natives for holding intercourse with foreigners

In China, the laws, whether the fundamental ones in the imperial code, or the subsidiary rules, or the provincial and local orders of government, or the law of usage among the people,—are all more or less hostile to a free and amicable intercourse with foreigners. The native who violates these laws *runs a risk*, affecting his respectability in society, his personal safety and that of his family and connections, the loss of his property by confiscation, or the infliction of flogging, imprisonment, transport, or death, according as the case may be, under varying times, circumstances, and persons in authority. A *risk* is run, and a man may suffer death, *legally*, for that which, being not bad or unreasonable in its own nature, he has been doing with impunity for years in respect of intercourse with foreigners. There are many of the ordinary transactions between natives and foreigners at Canton, which, when the government wishes to punish a man, it interprets as a *traitorous intercourse* with the enemies of the state, and, in an especial degree, of the Tartar dynasty; affixing to the culprit the appellation of *Han keen*, 'Chinese traitor,' a person whom the law sentences to death. We have known the term applied by government to a respectable hong merchant, for being supposed to give information to foreigners of the law of homicide, when the life of one of their fellow-countrymen was in danger. We have also known it applied to another respectable hong merchant, for having bought a sedan chair for a foreigner; and not merely applied, but acted on. The merchant was seized, thrown into prison, and there soon died.

Now what we would impress upon the foreign visitor is, that considering the *legal risk* a native runs when holding intercourse with him, he should not blame too severely the Chinese who declines to incur that risk in order to serve him, although it be in a manner which reason approves. It is enough that the law condemns it. It is not a century since a man lost his head, for writing a petition for foreigners, and showing them the way to the city with it! The carriage of domestic and commercial letters to and from Canton and Macao is not yet *legalized;* it is done by the postman at the

risk of a flogging, and by the boatman at the risk of that and of the confiscation of his boat also. The post for foreign letters and parcels is conducted by fees, bribery, and connivance, contrary to law. . . .

The laws of China recognize the duty of pity to foreigners in distress, such as shipwrecked seamen, or needy traders who require the necessaries of life for their starving native countries! But in any other light the law views them as rivals and enemies, to be distrusted and guarded against. Hence it is, that all intercourse with them, except under the immediate eye of government, is constructive treason. A foreigner must not buy Chinese books; he must not see their gazettes; no scholar, gentleman, or official person must visit him. He must remain in his warehouse or factory, and be guarded by hong merchants, compradors, and coolies! Servants to attend on his person he must not have. The law of the province requires the *cook* and *coolies* whom he employs, to act the part of spies on his conduct. They must tell the linguists, the linguists must tell the hong merchants, and the hong merchants the government, of all that the foreigner does! The law has done its duty in guarding against foreigners, and if the people would do theirs, the life of a foreign merchant in Canton would be insupportable.

Danger to foreigners of Chinese law even when not enforced

But, we are told, the laws are broken. True, they are not intended, even by those who issue them, to continue at all times in force. Well then, it may be objected, they do no harm. This is a mistaken inference. They do much harm; they are broken at a *risk;* and for the risk the foreigner must pay. Now and then, also, the risk is realized; the native has, at the least, to suffer loss of property; perhaps, as we have already said, the loss of his liberty or his life, with all the degradation and pain which attend imprisonment in a Chinese jail (a place which they call hell). In fact, the edicts fulminated by government are generally intended to answer the double purpose of holding up foreigners to the contempt of the people, and of oppressing them, under cover of old regulations, whenever it is convenient to do so. The consequence is that often the most contradictory regulations are passed, so as to entangle the unwary 'barbarian' in the 'net of the law,' whichever way he may turn himself.

Sir John Francis Davis (1795–1890), at one time Chief Superintendent of Trade at Canton and later governor and commander in chief at Hongkong, had many dealings with the Chinese both commercially and officially. The following comment, brief though it is, is as full of

meaning to-day as it was when written three quarters of a century ago.

4. Chinese urbanity vs. Western brusquerie

The Chinese frequently get the better of Europeans in a discussion, by imperturbable coolness and gravity. It is part of their policy to gain the advantage by letting their opponent work himself into a passion and place himself in the wrong; hence the more than ordinary necessity of carefully preserving the temper with them.

## *Section 2. The Rights of Foreigners to Trade with and Enter China*

The general and very important question of whether a nation has a right, either legal or moral, to shut itself off from contact with the outer world was often considered by Mr. (later Sir) Rutherford Alcock (1809–1897) who had much time and opportunity to ponder this question in the course of his official connection with both Chinese and Japanese. Mr. Alcock was H. B. M.'s first consul to Foochow after the opening of that city as a treaty port. Here he performed the various functions, as he said, "of everything from a lord chancellor to a sheriff's officer." In 1846 he became consul at Shanghai and it was while serving here that, in January, 1849, he penned his conclusions on China's duty to open free intercourse with the West. These are to be found in Section 1 of a *Note on Our Present Position and the State of Our Present Relations with China.*

5. Alcock's reasons why China's position was untenable

If it be the traditional policy of the Tartar dynasty to keep foreigners at the outer confines of the empire and in a degrading position, it may with better justice be the policy of Great Britain to obtain a direct action upon their centre, and freedom from idle and vexatious restrictions. The right of a nation to interdict intercourse and commerce, and therefore to determine upon what conditions it shall exist, is but an imperfect right, and subject to such modifications as the rights of other nations to the use of innocent objects of utility dictate; and the refusal of a common right is an abuse of the sovereign power, and an injury to be resisted.

China has no fundamental right to exclude foreigners

China, however disposed its rulers may be to deny the fact, is one of a community of nations with common rights and obligations, and any claim to exemption from the recognised terms of national intercourse is inadmissible in the interest of all other countries. To admit such a right of exemption would be to allow the arrogated superiority in power and civilisation, and to pamper the hostile conceit of her people.

So long as the sovereign States of Europe will permit so obvious an inference it cannot be matter of surprise, and scarcely subject of reproach, to the Chinese, that they should be so ready to assert and so pertinacious in acting upon it.

And if China once had this right she has forfeited it

But even if exclusion from the territories, from all trade and intercourse, were an absolute right in the first instance, the Chinese have forfeited all claim to its exercise—first, by voluntarily entering into relations political and commercial in ages past with other States and people, by exchange of embassies, by opening their ports and territories and encouraging trade; and secondly, by aggressive wars and invasion of the territory of Europe by the Tartar and Mongolian races who have ruled the country.

China preserves her undoubted right of self-preservation as a political society and an empire, but this does not involve the incidental right of interdicting intercourse, because her own history shows that danger does not necessarily follow unlimited access, since as late as the seventeenth century such free communication existed with foreigners; and secondly, because the right of decision must be shared by the interdicted party.

Another comment on the attitude of the Chinese toward Westerners in the earlier period may be of interest as expressing the point of view of a distinguished American missionary who wrote from experienced observation. Elijah Coleman Bridgman (1801–1861) was the first American missionary to China. He founded the *Chinese Repository*, and from 1831 to 1847 was its editor. This magazine constitutes one of the most valuable sources of information on the early nineteenth century relations of China and the West. From it this account is taken:

6. Mr. Bridgman on attitude of Chinese government toward foreign powers

During the long period which has elapsed since an intercourse was commenced between Portugal, Spain, Sweden, Denmark, Holland, France, England, and other nations of the west

on one side, and the Chinese on the other, negotiations, becoming the character of great and independent nations, seem never to have been undertaken. Numerous envoys, legates, embassadors, &c., have been sent from Europe to the court of China. They have been fitted out at great expense, and have usually been men of great abilities: but they have always been considered by the Chinese as *kung sze*, 'tribute bearers;' have frequently been treated with neglect and indignity; and after all have effected little or nothing for the benefit of those who sent them, or for the world. Two or three of these missions will afford us a tolerably correct idea of the whole. . . .*

Thus it appears, from a long series of historical facts, that the Chinese practically deny the existence of relative rights among nations. The government proceeds on the supposition that its subjects have no rights; this position once established, all rights and immunities are and must be denied to outside barbarians. 'As there is but one sun in the heavens, so there can be but one great supreme power on earth:' that power is the emperor. He is the vicegerent of heaven; and to his sway all both within and without the four seas must submit and whoever and whatever does not, ought to be annihilated. In this assumption of all right and dominion, foreigners have acquiesced. This acquiescence has grown out of the doctrine (very prevalent in the west,) that nations have a right to manage their own affairs in their own way, and have no responsibilities in reference to other portions of the human family; and that so long as one permits intercourse in a way it chooses, and refuses it in any other way, or interdicts it altogether, other nations have no right to interfere or complain. . . . The doctrine is equally opposed to the laws of God, to reason, and to common sense. Ignorance, superstition, pride, and ambition, have acted jointly to strengthen, establish, and perpetuate it. . . .

There is one sun in the heavens—and one Son of Heaven

What "right" has a nation to live to itself?

A just view of this doctrine will be obtained, if we suppose it to be carried into effect in a small community. Imagine then an extensive estate equally divided among twelve sons. Together with a large landed property, and flocks and herds, it embraces a variety of manufactories; rivers, canals, and highways intersect the whole, and in such a manner as to make each one of the parts, in a measure dependent on and serviceable to all the other parts. This mutual relation was designed; and eleven of the sons perceive this, and act accordingly, keeping up the relation and the intercourse which their father had established for their mutual benefit. But

An analogy

*Here follow examples of Dutch and Russian embassies which were without appreciable effect [Ed. note].

to their surprise, one of the twelve takes a very different course; he draws around his portion a line of separation, and declares death to any one of his domestics who shall pass that line; and enacts the same penalty against his brothers and any members of their households, who shall presume to enter the forbidden territory. And he stops not here. He denies the existence of any relationship or obligation to his brothers; denounces them as barbarians; and treats them accordingly. But some of them venture to enter a remote corner of his part of the estate, and after many disputes, are at length 'graciously permitted' to lodge there, and buy and sell: but all intercourse beyond this is interdicted.

It is unnecessary to pursue this illustration farther; it shows at once, in a clear light, the very unnatural attitude which China has assumed. And what, in the case supposed, ought to be the course of conduct pursued with regard to the individual who has adopted this exclusive system? He has evidently frustrated the intentions of his father, much to the injury of the whole family. His brothers have perceived this, have felt the injury, and have tried various expedients to remove the evil. They have sent messengers to him, repeatedly and at great expense; but he has treated them with neglect, contempt, and insult, requiring them to do him homage in the name of their masters. With regard to an individual of this description, there would be evidently but one course that could be pursued with strict justice. It would be necessary, as a matter of expediency and of duty, to restrict and restrain him, and with a hand so strong as to prevent the possibility of his doing injury to his neighbors. With special care being taken not to do him any harm, this rigid course should be followed up till he acknowledges and respects his kindred, reciprocates their offices of kindness, and gives bonds for good behavior in future. So it should be with China.

The solution of the problem

### *Section 3. A Note on Chinese Character*

One who lives among and studies the people as Mr. George Wingrove Cooke did during the time in which he acted as correspondent for the London *Times* in 1857–8 is likely to come to somewhat the same conclusion as to "sketching" their character that Mr. Cooke did. But it is well for us to remember his conclusions at the outset of our reading; it may help us to comprehend certain selections later.

7. Mr. Cooke's reasons for not publishing a character sketch of the Chinese people

I have, in these letters, introduced no elaborate essay upon Chinese character. It is a great omission. No theme could be more tempting, no subject could afford wider scope for ingenious hypothesis, profound generalization, and triumphant dogmatism. Every small critic will, probably, utterly despise me for not having made something out of such opportunities. The truth is, that I have written several very fine characters for the whole Chinese race, but having the misfortune to have the people under my eye at the same time with my essay, they were always saying something or doing something which rubbed so rudely against my hypothesis, that in the interest of truth I burnt several successive letters. I may add that I have often talked over this matter with the most eminent and candid sinologues, and have always found them ready to agree with me as to the impossibility of a Western mind forming a conception of Chinese character as a whole. These difficulties, however, occur only to those who know the Chinese practically: a smart writer, entirely ignorant of the subject, might readily strike off a brilliant and antithetical analysis, which should leave nothing to be desired but Truth.

## SUPPLEMENTARY READINGS

H. A. Giles, *The Civilization of China* (London, 1911), Chap. XI; C. Gutzlaff, *A Sketch of Chinese History*, Ancient and Modern, 2 vols. (London, 1834), Chap. XX; E. H. Parker, *China: Past and Present* (London, 1903), Bk. IV, Chaps. II–III; E. J. Eitel, *Europe in China* (London, Hongkong, 1895), Chap. II; J. B. Eames, *The English in China* (London, 1909); Sir R. K. Douglas, *China* (Boston, 1885); S. Couling, *Encyclopedia Sinica;* M. Broomhall, *The Chinese Empire* (London, Philadelphia, 1907); D. C. de K. Boulger, *A Short History of China* (London, New York, 1900); P. Auber, *China: An Outline of the Government . . . and of the British and Foreign Embassies to . . . That Empire* (London, 1834); K. S. Latourette, *The Development of China* (Boston, New York, 1917), Chap. V; A. E. van Braam, *An Authentic Account of the Embassy of the Dutch East-India Company . . . in 1794 and 1795* (London, 1798); A. A. Anderson, *A Narrative of the British Embassy to China in the Years 1792, 1793, and 1794* (New York, 1795); Sir G. L. Staunton, *An Authentic Account of an Embassy from the King of Great Britain to the Emperor of China* (London, 1797); H. B. Morse, *The International Relations of the Chinese Empire* (Shanghai, 1910), Vol. I, Chap. III.

# CHAPTER II

## CONDITIONS OF INTERCOURSE AT CANTON PRIOR TO 1842

### *Section 4. The City of Canton, and the Surrounding Country*

Canton was the first, and for many centuries the only, port to which foreign trade of any importance was attracted. As early as A. D. 166, envoys supposed to have come from the emperor Marcus Aurelius Antoninus arrived at Canton. In the early part of the sixteenth century the Portuguese arrived and a century later came the Dutch and the English.

The Factory of the English East India Company was established in 1684. From this time till April 22, 1834, the Company held a monopoly of the English trade.

The American trade with Canton was important in the early days; the first American ship reached that port in 1784. The first consul was appointed in 1798, and the flag was hoisted in 1802. No corporation monopolized the American trade as did the East India Company that of the English. The merchants and the sailors, of Boston, Salem, and New York, were free to compete on equal terms in the China trade. This "free trade" of the Americans was one of the causes of the complaint by the British merchants against the India Company which resulted in the abolition of that monopoly.

8. The character and the appearance of the city

People who have never seen an unadulterated Eastern city are apt to entertain very erroneous ideas upon the subject. When we are told of a city of a million of inhabitants we begin to think of the Rue Rivoli, or of Regent Street, or of the Corso, or of the French buildings and Moorish palaces at Algiers, or, at least, of the great squares of Alexandria, or the European quarter at Cairo. We must put European houses entirely out of the question when we think of the pure and uncontaminated city of Canton. With the exception of the pagodas, the josshouses, and the yamuns, there is not in the whole city an edifice as high as the lowest house in Holywell-street. The mass of habitations are about fifteen feet high, and contain three rooms; they have one entrance, closed by a bamboo screen. Some of the shops have a low upper story, and then the house, roof and terrace altogether, may rise twenty-five feet from the street. Better houses there are, but they are not more lofty. They are detached, stand upon their own little plot of land, and are surrounded by a twelve-foot wall. Then there are the palaces, residences of great officials and rich merchants, the "yamuns" of governors, and generals, and judges. These are large airy buildings, situated in gardens extensive enough to be called parks—excellent barracks and camping-ground for British grenadiers.

Differences between a Chinese and a Western city

All these edifices are of the most fragile description, built of soft brick, wood, or mud; no hopeful shelter to the most desperate courage. They would be traversed by Minié balls and pierced by grape; they would be knocked into ruins by half-spent round shot; they would be burst by shells. . . .

The whole circuit of the walled city is just six miles. It is necessary to bear in mind the character of the buildings of this place, or we shall find ourselves talking nonsense about "involving ourselves in the intricacies of a city of a million of people."

In the study of the problems which arose around Canton in the first half of the nineteenth century it is necessary to have a fairly definite knowledge of the country surrounding the city as well as the approaches by water. This can only be attained by a careful study of a detailed map and a clear explanation. The accompanying account was written by one who had accurate knowledge from personal observations made during

the activities of the British armed steamer *Nemesis* which did such valiant service during the first Anglo-Chinese War.

9. The approach to Canton

It will be generally admitted by all who have seen the Canton river, or, as the Chinese call it, Chookeang, that, in point of size, depth, and picturesque character, it is one of the finest navigable rivers in the world. Merchant ships of the largest size, perhaps the proudest which float, have navigated it for nearly two hundred years, to within a distance of nine or ten miles from Canton, with little difficulty, and very inconsiderable danger. No foreign commerce with any one port has been so valuable, so extensive, or carried on with so much facility. The difficulties of our* intercourse, which have arisen within the last few years, have formed an epoch in the world's history, and stand forth as a leading beacon in the stream of time, pointing towards greater eras yet to come. And, as they first began in the Canton river, an unusual interest becomes imparted to it.

An archipelago of numerous islands, most of them rocky, and only partially productive, warns you of the approach to this celebrated river. Strictly speaking, only that portion of it above the Bocca Tigris has been called the river; while all below that point, even from beyond Macao upwards (the latter lying at the distance of from forty to fifty miles from the Bogue forts), has been called the outer waters; nevertheless, it ought properly to be included within the precincts of the river itself.

The inner and the outer waters

Since the questions connected with the opium-trade have been brought so prominently forward, it has been maintained by some, that the "outer waters" ought *not* properly to be considered within Chinese jurisdiction. But this position would hardly seem to be tenable; and there can be no sound reason for maintaining that these waters should not be considered as much and *even more*, within their jurisdiction as the sea-coast or river islands of any part of Europe are within the jurisdiction of the country to which they belong, to the distance of a certain number of miles from the land itself. In reality, the little peninsula of Macao on the west, and the island of Lintao (not to be confounded with Lintin) on the east, may be considered as the proper boundaries of the entrance to the Canton river.

These points are about fifteen to twenty miles apart, while between them lie several small islands, through which

* I. e., the English [Ed. note].

are the two principal navigable passages (the western and the Lintao passage) into the river itself. But the island of Lintao, called Tyho by the Chinese, is a long, narrow, mountainous piece of land broken up into numerous bays and projecting points, stretching from south-west to north-east, separated at the latter extremity from the mainland only about the distance of a mile. The passage and anchorage between them is called Capsingmoon, and is made use of occasionally even by large vessels, which pass towards the river or across from Macao towards the island of Hong Kong, which lies off the mainland at about five or six miles to the eastward of Lintao. . . .

Lintin

About five miles distant from Tongkoo Bay, more towards the centre of the river, and a little to the northward, is the small island of Lintin, terminating in a very remarkable, high conical peak, which is a guide to all vessels passing up or down. It has become famous as a place of rendezvous for the opium vessels, particularly within the last few years; and a merchant brig, bearing its name, has been recently sold to the Chinese as a man-of-war, though old and not very serviceable. This island must not be confounded with that of Lintao, before alluded to, and from which it is about eight or nine miles distant. . . .

Chuenpee

About twenty-two to twenty-five miles above the island of Lintin, before described, and consequently about the same distance above Tongkoo Bay, on the same side of the river, is a projecting headland, about a mile and a quarter wide, distinguished at a considerable distance by the high peak in which its summit terminates. On either side of it there is a fine sandy beach, off which there is a good anchorage. This is Chuenpee. . . .

Tycocktow

On the opposite or western side of the river, which is here about three miles wide, is another smaller promontory, called Tycocktow, with a line of strong batteries close along the shore, faced with granite. . . . The whole of the country which borders the river is mountainous and picturesque.

Returning again to the east side, about four to five miles above Chuenpee, we come to the high hill and fortifications of Anunghoy, the most important of the works at the Bogue. Between Chuenpee and Anunghoy lies the beautiful bay called Anson's Bay, about two miles deep; on one side of which it was at one time proposed to found an English town. . . .

The breadth of the river from Anunghoy to the opposite side is from two to three miles, being somewhat less than it is lower down between Chuenpee and Tycocktow. But in the very middle of the river in this part, are two rocky islands, called North and South Wantung, of moderate elevation, and

also a smaller rock, scarcely visible at high water. Hence there are two channels up the river, one on either side of these islands; but that on the east side towards Anunghoy is the one which had always been frequented by foreign ships, and was considered to be the Bocca Tigris, or Bogue.

The Bocca Tigris, or Bogue

The passage on the western side of Wantung was not only not frequented by Europeans, but not even known to be navigable, until our preparations were made for the capture of the Bogue forts,* when some of our ships passed up on that side to the attack of North Wantung. The true Bogue, or eastern passage, is only about three quarters of a mile wide; the current, or rather the tide, is very rapid, on which account ships generally prefer keeping rather near to the Anunghoy side. Of the two islands called Wantung, the northern is the highest and largest lying quite opposite Anunghoy, and was very strongly fortified.

### *Section 5. The Co-Hong and the Factories*

The key word to a comprehension of the early Anglo-Chinese trade at Canton is *monopoly*. During the second decade of the eighteenth century the English and the Chinese each established a monopoly for trade. The East India Company decided in 1715 to establish a factory in Canton. In 1720 the Chinese merchants organized the co-hong. The English monopoly was broken in 1834; the Chinese gild lasted eight years longer when it was abolished—officially at least—by the Treaty of Nanking.

In February, 1825, a young American landed in Canton after a trip from New York lasting one hundred twenty-five days. He entered business in that place when the two great monopolies were in the heyday of their glory. Many years later he wrote two little books: *The 'Fan Kwae' at Canton* and *Bits of Old China* in which are preserved the memories of the "old days" in Canton before the Anglo-Chinese wars. These two books constitute a valuable source of knowledge on this period. Parts 9–18 and 20 of Sections 5, 6 are chosen from this interesting source.

*In the first Anglo-Chinese War [Ed. note].

**10. The hong merchants and their establishments**

The Chinese word Hong signifies the place of business of *one* merchant only, with all in his service (hence the title of Hong merchant); or a Hong may comprise several mercantile establishments, with their respective clerks, coolies, servants, cooks, &c.

Their size

Those of importance cover an immense area, and being divided into sections with open spaces intervening, they are light and well aired, being also wonderfully clean and well ordered. The great gate of entrance is closed at night, and they are then left in the charge of one or more keepers whose quarters are close to it. Under exceptional circumstances, however, such as a press of business, merchants remain in them night and day. . . . It was in the establishments of the Hong merchants where teas were weighed, marked, and rattaned for shipment to foreign vessels at Whampoa, and silk and silk-piece goods examined and weighed before being shipped off. On the other hand, they received all import cargo from Whampoa, which if woollens or cottons were stored on joists or beams of wood raised a foot or more from the ground, and resting immediately on paddy husk, to preserve them from white ants, which abound and are very voracious, but to which 'paddy chaff' is obnoxious. The Hong merchants, or, as designated by the Chinese, 'foreign Hong merchants,' were thirteen in number, especially licensed by the Imperial Government at Pekin to trade with foreigners, and required to overlook them, as well as to be their *securities* against breaches of the law, or departure from 'old custom,' and hence the title of 'security merchants.' They paid enormous sums for the privilege of becoming Hong merchants, but the benefits they derived pecuniarily were in proportion. They formed a body of intelligent, influential, and well-bred men, always most friendly and courteous in their relations with foreign residents. The monopoly they enjoyed of controlling the entire 'outside' trade with the port of Canton, amounting to many millions of dollars annually, could not have been under the direction of a more honourable, liberal, genial class of men. . . .

Peculiar position of the co-hong

It has been supposed that the Co-Hong was a co-partnership; on the contrary, each member transacted business on his individual account with whomsoever he chose. In their *joint* capacity, however, they were the intermediaries between the local government in everything that related to the residence of foreigners at Canton, the safety of their persons and property. If changes were to be made in outward or inward duties, they were the medium of communication. They were expected to prevent, or were supposed to prevent, any breach of the 'rules and regulations' under which foreigners lived in or out of their Factories, to watch that they were 'duly

obedient' as regards excursions, clearly set forth in the 'Eight Articles.'* Also they were expected to contribute to losses that foreigners might otherwise suffer from the bankruptcy of any one of their own number. Towards such a contingency they levied a special tax in addition to the regular duties, on certain imports and exports, which went by the name of 'Hong tax.' It was their duty to keep guards about the streets of the suburbs to prevent the 'far-coming strangers' from losing their way or getting into trouble with the people, to protect their persons and property when the Factories were threatened with fires (which was quite often), by placing at their disposal boats and coolies of their own. Whenever one or more foreigners wished to go to Macao, or return from thence to Canton, they petitioned the authorities through the Hong merchants to grant the customary passes, and leave to go or come, which was never refused.

The Hongs of the 'security merchants' were on the city side of the Pearl River, and bordering it for the convenience of landing and shipping off cargo. Several, however, had vast warehouses or godowns across the river on Ho-Nam, in which were stored immense quantities of raw cotton from India, woollen and cotton goods and other merchandise from England and the United States, as well as the Straits of Malacca, say rice, pepper, and betel nut, rattans, tin, &c. These articles arrived in the southwest monsoon in quick succession at Whampoa, and were immediately landed in presence of an officer from the Hoppo's office, who attended with a large staff of pursers to examine and take note of the duties to be collected. Boat hire from the ship to Canton was paid by the consignees to the linguist, but no other charge was made, whether for storage or labour, while the merchandise was at the risk of the Hong merchant, unless the importer chose to hold for an advance in price, but in settling prices these charges were considered. It was a convenient usage, which arose from the merchant who secured the unloading vessel becoming the purchaser of her cargo, while it saved the foreigner all trouble regarding details. . . .

The European hongs

The *foreign* Hongs of 'Old Canton' were twelve in number They were the property principally of Houqua and of Pwan-Kei-Qua, of whom they were hired.† The rents were moderate, and paid once a year. During the whole of my long residence at Canton, I never knew of a formal *lease* being

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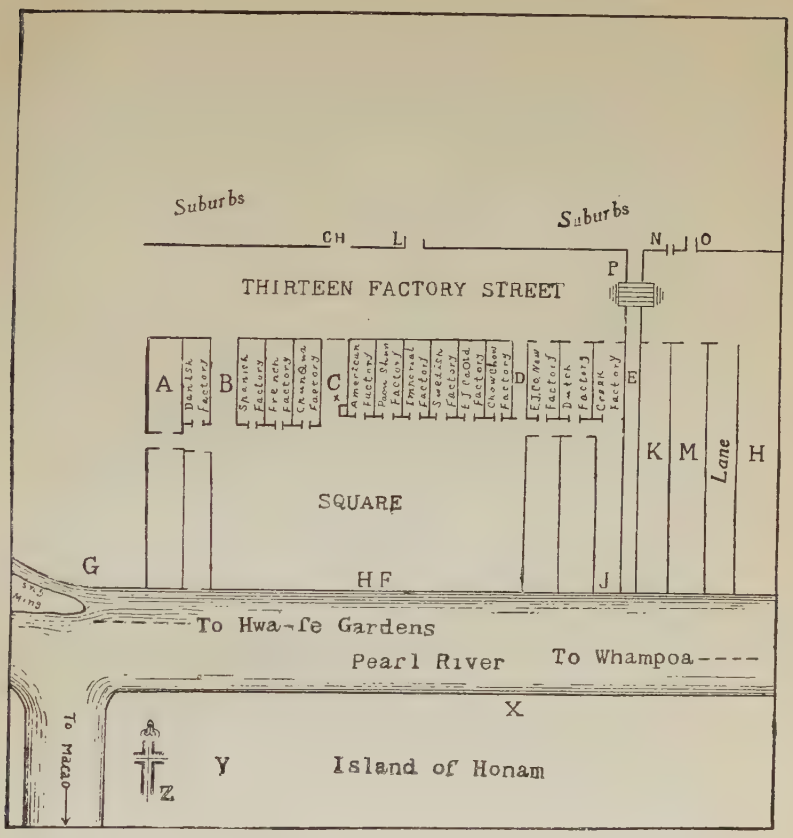
*For the control and government of foreigners coming to Canton; they date from 1760. [See Section 6, No. 19.—Ed. note.]

†No foreigner was allowed to own house or land at Canton in ante-treaty days.

drawn up for any one of them. Their relative positions may be seen on the accompanying plan. Collectively they were known as *Hongs*. Each one contained separate *residences* including counting-rooms, one behind the other, with small open courts or spaces between them in the direction north and south. These were the *Factories*. Fronting the six central ones was an open *Square* down to the banks of the river, about 300 feet distant, especially set apart by mutual consent for the use of the foreign residents. It was originally surrounded by a stout wooden railing on a stone base, with gates leading into it from each Hong, with others opposite on the river side, so that each one had its separate landing. The *three* easterly Hongs, as well as the *three* westerly ones, had communication with the river through separate walled enclosures, with gates at each extremity, the enclosures being of the width of each respectively. This system had been adopted from the first days of the restriction of foreign trade to the single port of Canton, by order of the Emperor Yung-Ching, the third sovereign of the actual dynasty of Ta-Tsing, in 1745, and was a very sensible one.

The accommodation it afforded to the inmates of the several Factories was also a feature of the general order and system which contributed to the convenience of all resident Fankwaes. As may be seen on the plan, the Hong of Chung-Qua, Hong merchant, was built in line with the twelve foreign Factories; together they gave the name of 'Thirteen Factory Street,' which ran in the rear of them east and west. So long as these enclosures and the square existed in their original condition, a period of eighty years, no strange Chinese were permitted to pass though them, but in the great fire of 1822, which 'destroyed 12,000 houses, temples, and shops' in the western suburbs, and nearly all of the original foreign Factories, the limits of the public Square and special enclosures were involved in the general ruin, except that of the Danish, the English East India, and Dutch Companies.

The Chinese and foreign Hongs, being near to each other, was an aid to the quick despatch of business, which, it is needless to say, was on a colossal scale. The transacting of it was of the pleasantest, nothing being left undone to render it easy and convenient in all its branches. The Hong pursers, as they were called (or clerks), were intelligent, quick at figures, and correct. Coolies and boat-people who served us were uniformly good-natured, insolence was never met with, while sobriety was their unalterable characteristic. . . .




## REFERENCE

**A.** Pwanting Qua Street.
**B.** New China Street.
**C.** Old China Street.
x Guard House.
**D.** Hog Lane.
**E.** The Creek.
**F.** Jack Ass Point.
**L.** Old Clothes Street.
**N.** Old Tom. Linguist.
**O.** Carpenters Square.
P. Bridge over Creek.
G. H. J. Custom Houses.
K. King Qua's Hong.
M. Mou Qua's Hong.
H. Hou Qua's Hong.
X. Honam Joss House.
Y. Hou Qua's House.
Z. Pwanting Qua's House.
C H. Consoo House.

*—From Wm. C. Hunter's "Bits of Old China" (Shanghai, 1911).*

11. The co-hong system: the merchants

The Hong merchants (collectively, the Co-Hong) as a body corporate date from 1720. From that year, except for a short interval before 1725, they were the monopolists of the foreign trade. The principal ones, in 1825, were Houqua Mouqua, Pwankeiqua, Pwansuylan, Chungqua, Kingqua, and Gouqua. The affix *qua*, which is usually supposed to be a part of the name, is simply a term of civility or respect, and is equivalent to Mister or Sir. The word means literally to 'manage' or 'control.' The number of the 'Co-Hong' was limited to thirteen.

Their establishments commenced on the creek already referred to, and extended eastward on the river-side, whereby the shipping off and landing of cargo were attended with great facilities. They were the 'warehouses' in which were received all the teas and silk from the interior, and in which these articles were repacked, if necessary, weighed, matted, and marked, before being sent to the ships at Whampoa. The boats in which they were conveyed were of a peculiar build, with circular decks and sides, and from their resemblance to a melon they were called 'water-melons' by the Chinese, but by foreigners they were always referred to as 'chop-boats.' They were of the capacity of 500 chests of tea, or 500 piculs of weight. The orderly and intelligent despatch of business at the Hongs was characteristic of the Chinese, as were the neatness of all packages and the dexterity with which they were handled.

The Hong merchants were the only ones officially recognised by the Government, and no goods bought of 'outside' Chinese could be shipped off except through one or the other of the 'Hongs,' which received thereon a tax, and in whose name they were reported to the Hoppo. The 'outside' merchants had, however, become of great importance, their transactions were on an immense scale annually. As manufacturers of silks, of floor-matting, nankeens, crapes, grass-cloth, and a host of less important articles, many of them had amassed great wealth; at the same time, they were always assumed, officially, as confining themselves strictly to such things as were necessary for the 'personal use' of foreign residents. In fact, it was 'custom' from time to time for the authorities to remind them of this, and even to enumerate the things which they were only allowed to furnish. As a curiosity they may be recorded—clothing, umbrellas, straw hats, fans, shoes, and so on!

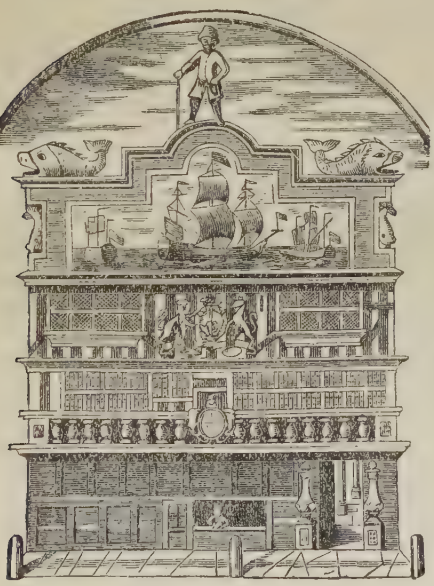
The 'outside' merchants

The Hong merchants were responsible to the Hoppo for the duties on all exports and imports. They alone transacted business with that officer's department—viz., the 'Customs'—by which foreigners were spared trouble and inconvenience. It may be as well to mention here that the 'Hoppo' (as he

The Hoppo

was incorrectly styled) filled an office especially created for the foreign trade at Canton. He received his appointment from the Emperor himself, and took rank with the first officers of the province. The Board of Revenue is in Chinese 'Hoo-poo,' and the office was locally misapplied to the officer in question.

As controlle s of the entire foreign commerce of the port of Canton, which amounted annually to many millions of dollars, if the benefits derived therefrom were of vast importance, the responsibilities were also great. For infractions of 'regulations' by a ship or by her agents they were liable. Is was assumed that they could, or should, control foreignert residing in the Factories as well as the vessels anchored at Whampoa. In both cases they were required to 'secure' due 'obedience.' Every resident therefore had his 'sponsor' from the moment of landing, as every ship had hers, and hence the Hong merchants became 'Security Merchants.' My own was Houqua, who of course represented some others also, and in view of these mutual relationships we would jocularly call them 'our horse godfathers.'



*Li Ung Bing's "Outlines of Chinese History"*

COAT OF ARMS OF THE EAST INDIA COMPANY

The purchases of the East India Company were divided amongst the Hong merchants proportionately, in shares, of which fourteen fell to the lot of Houqua.

How one became a hong merchant. Advantages and disadvantages of the position

The position of Hong merchant was obtained through the payment of large sums of money at Pekin. I have heard of as much as 200,000 taels, say 55,000 *l* sterling. If the 'license' thus acquired was costly, it secured to them uninterrupted and extraordinary pecuniary advantages; but, on the other hand, it subjected them to calls or 'squeezes' for contributions to public works or buildings, for the relief of districts suffering from a scarcity of rice, as well as for the

often imaginary or over-estimated damage caused by the overflowing of the 'Yangtsze-Keang,' or the 'Yellow River.'

'Well, Houqua,' you would say on some visit, 'hav got news to-day?' 'Hav got too muchee bad news,' he would reply, 'Hwang Ho hav spilum too muchee.' That sounded ominously. 'Man-ta-le* hav come see you?' 'He no come see my, he sendee come one piece "chop." He come to-mollo. He wanchee my two-lac† dollar.' It was the old complaint, a 'squeeze,' and this time a formidable one. 'You pay he how muchee?' 'My pay he fitty, sikky tousand so.' 'But s'pose he no contentee?' 'S'pose he, number one, no contentee, my pay he one lac.' This actual incident will show the sort of demands upon the Senior Hong merchant (each one being called upon in his turn) and their pecuniary importance. They knew at the same time that the object of the 'squeeze' was exaggerated, and, even if necessary, that only a modest portion would go to the repairs of the banks of the river, the mandarin thinking that his own personal wants were far more pressing. They might try to parry the question, they might succeed in getting the sum asked for diminished, but they could not escape. Payments would also be made by them to the Hoppo on the occasion of his return to Pekin, on the appointment of a successor, as well as to the chiefs of the Revenue Board in that capital; but such as these had a *raison d'être*, they secured influence and protection, and besides, the sums paid were voluntary and comparatively moderate in amount.

As it added to their dignity and privileges, the Hong merchants purchased nominal rank, the insignia of which was denoted by a button or coloured globe attached to the apex of the cap. Of this they might be deprived for offences against the law or for bankruptcy; then a wearer of it in local parlance would be 'unbuttoned,' or deprived of this significant emblem of his social and public status.

The occupation of a 'merchant' in China is looked down upon by wealthy landed proprietors, by the *literati* and by those who have risen to official rank through their own talents; but bankruptcy is considered degrading and even criminal. . . .

Reputation of the hong merchants. Their life

As a body of merchants we found them honourable and reliable in all their dealings, faithful to their contracts, and large-minded. Their private residences, of which we visited several, were on a vast scale, comprising curiously laid-out gardens, with grottoes and lakes, crossed by carved stone

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*'Man-ta-le'—pigeon English for 'Mandarin.'

†A lac is 100,000.

bridges, pathways neatly paved with small stones of various colours forming designs of birds, or fish, or flowers.

One of the most beautiful was that of Pwankeiqua, on the banks of the river, three or four miles west of the Factories. The number of servants in these private 'palaces,' as they would be called elsewhere, was very great, comprising, with those ordinarily in attendance, doorkeepers, messengers, palankin bearers, and choice cooks. We had occasional opportunities of judging of the skill of the latter by an invitation to a 'chopstick' dinner, signifying that no foreign element would be found in it.

Chinese feasts

We would be served with such delicacies as birds' nest soup,* with plovers' eggs and Bêche-de-Mer, curiously prepared sharks' fins and roasted snails; these forming but a very small proportion of the number of courses, which ended with pastry of different sorts. The liquids were wines prepared from rice, called 'Samshoo' also from green peas, from a fruit called Wang-pe, and others whose names we never knew. The wines were served in tiny silver or porcelain cups, each placed on handsomely worked silver stands.

These feasts were very enjoyable, even when their novelty had worn off; the host, full of *bonhomie* and politeness never failing to escort us to the great outer gate on leaving, and placed us under the charge of his coolies, who would there be waiting with large lanterns bearing his name to escort us back to the Factories. . . .

12. The co-hong system: the linguists

Next to the Hong merchants, other Chinese were closely allied to the foreign community as 'Linguists'—so called, as it used to be remarked, because they knew nothing of any language but their own. They were appointed by the Hoppo to act as interpreters, and were duly licensed. Besides, this was in accordance with the orders of the Peking Government. As up to treaty days, neither Consul nor Vice-Consul of a foreign nation was 'officially' acknowledged, whenever either one of these officers made a communication to Hoppo it had to be done through the Hong merchants, to whom the despatch was take by a Linguist. The reply would be addressed to these merchants, who were directed to make known the answer to the 'chief' of the nation, that 'he might reverently inform himself of it and be duly obedient' (a matter of form). . . .

The most important Chinese within the Factory was the *Compradore.* He was secured by a Hong merchant in

*The best quality of birds' nest was brought from Java. This 'whimsical luxury' was worth 4,000 Spanish dollars per picul of 133⅓ pounds.

The comprador: his position and duties

all that related to good conduct generally, honesty and capability. All Chinese employed in any factory, whether as his own 'pursers,' or in the capacity of servants, cooks, or coolies, were the Compradore's 'own people;' they rendered to him every 'allegiance,' and he 'secured' them as regards good behaviour and honesty. This was another feature that contributed to the admirable order and safety which characterised life at Canton. The Compradore also exercised a general surveillance over everything that related to the internal economy of the 'house,' as well as over outside shopmen, mechanics, or tradespeople employed by it. With the aid of his assistants, the house and private accounts of the members were kept. He was the purveyor for the table, and generally of the personal wants of the 'Tai-pans' and pursers.*

The treasury in which all the cash and valuables were kept was under his charge, which was no light matter, as with some houses the amount of cash was extremely large, frequently over a million of dollars and rarely under $150,000 to $200,000. During the dull season, from April to October, the principal books of accounts, all important correspondence and letter books were also deposited in it. For many years after 1824, no such thing as a copying machine was known; all copying was done by hand, and this exacted greater care of business letters and papers, while as no banks existed in the old days, each house was its own banker. The position of a Compradore was therefore one of great responsibility, and I never knew of but one betraying the trust reposed in him.

The comprador's sources of income

Although his pay was comparatively small, say $250 or $300 per annum (the pay of our own was raised to $500), his perquisites, from sources which had long been in existence, and had become 'olo custom,' were very important. As the balance of the American trade was greatly in favor of China, large quantities of Spanish and Mexican dollars were yearly imported to make up the deficiency arising from comparatively little other import cargo. Teas and silks, and many minor articles coming under the general head of 'chow-chow,' were bought for cash. Thus every ship from the United States brought largely of dollars at times—as in the case of the 'Citizen,' $350,000, while in 1831 three vessels alone brought $1,100,000. Added to these supplies, opium was invariably sold for cash, and so were bills on London when they came into use; consequently all this money passed primarily through the hands of the Compradore. He derived a profit from the process of

Shroffing

shroffing which it underwent before being deposited in the

*The chief of a foreign house was known as 'Tai-pan.' The word signifies 'head manager.' The assistants or clerks were called 'pursers.'

treasury; but after the goodness of a parcel and its exact amount were ascertained, he was liable for any bad money that might afterwards be found amongst it. He paid the Shroff one-tenth of a dollar per one thousand for examining it, while the fixed charge by the Compradore was one-fifth. This formed an important sum. Another one of his perquisites was five copper cash (about a half penny) per dollar on all payments, no matter to whom or on what account, of odd sums less than one thousand dollars, which charge was borne by the payee. He also derived benefit from loans or advances made to 'Outside' Chinese merchants (and from them) on contracts for silks and other merchandise entered into with his employers, while on all Factory supplies he received also a percentage.

The average person in reading the preceding and other accounts of the position of the hong merchants and their sources of income might naturally feel that the position was one with no drawbacks. That this was not the case the various accounts written at that time and later will readily show. The varied and numerous demands on these merchants were not merely matters of inconvenience but of real financial danger. Cases of bankruptcy with its attending disgrace were not unknown, and these were directly caused by the system of "bleeding," "squeezing," or "forced contribution" cited here

13. Demands on the hong merchants

The ransom of Canton, 1841

When the English troops, under Sir Hugh Gough, on May 21, 1841, had taken up a position on the heights north of the city walls, and were prepared to attack, they were prevented doing so by a despatch from Captain Elliot, the British Superintendent of Trade at Canton, then on board the cutter 'Louisa,' lying off the Factories. He informed Sir Hugh Gough that the city had consented to pay a ransom of six millions of dollars, and directed him to return to the ships in the river with the forces. This was a judicious and humane arrangement, brought about by Captain Elliot. Had the city been entered, the loss of life would have been dreadful, to say nothing of the destruction of houses and property. There would, moreover, have been but little glory to gain, as it was in a state of defence utterly inadequate to resist 2,200 English soldiers and sailors The authorities of the

city, having concluded the arrangement for the ransom, began at once to look about for money, and as usual *reminded* the Hong merchants that something liberal was expected of them.

They contributed 2,000,000 dollars, of which Pwankeiqua gave 260,000, Houqua 1,100,000, and the others 640,000. A belief exists amongst the Chinese that there is an invisible agency influencing man's career in life, which they call 'Fung Shuy,' literally 'wind and water.' A striking illustration of this belief was brought out on this occasion. Houqua availed himself of the *accident* of contributing, to express his gratitude to 'wind and water' for notable incidents in his own life, and in this way, mentally, he apportioned his donation. For himself, in recognition of his 'prosperity,' 800,000 dollars; for his eldest son, 200,000 dollars for unswerving filial piety; and 100,000 dollars for his youngest son, who happened to be born when he himself had just completed the full term of a 'cycle,' or sixty years. This is considered a very happy coincidence, or number one 'Fung Shuy.' For the total sum, Captain Elliot was handed three promissory notes, drawn by Messrs. Russell & Co. at thirty days date in favor of Houqua, by whom they were endorsed to his order. Captain Elliot deposited them for collection with Messrs. Jardine, Matheson, & Co. and Dent. & Co. These firms had removed their offices to Macao, as well as Messrs. Russell & Co. The notes were for 400,000, 400,000, and 300,000 dollars respectively. At this time the last-named house held about two and a half millions of dollars belonging to their constituent, the endorser. . . .

Other demands on the co-hong merchants

Demands of money on the Co-Hong never ceased. One instance was a requirement by the Viceroy that they should pay off the indebtedness of three of their own number to 'outside barbarians.' They were Hing-tai, Mouqua, and Kingqua. Houqua then paid $1,000,000, Pwankeiqua $130,000, Pwan Hoyqua $70,000, Samqua and Saoqua each $50,000, Footai $90,000. I mention this circumstance as a feature of 'old Canton'; it being a measure taken to prevent complication with Governments beyond the sea.

The terms "hong," "co-hong," and "factory" are not to be confused with each other or considered to be synonymous. The first term is one in common use throughout the East. It is a Chinese word meaning a row or series and is ordinarily applied to warehouses built in rows. It is now a term applied to all business houses, and one is often referred to as an employee of a certain hong instead

of a business house. The co-hong is the foreign word used to designate the gild of Chinese merchants organized at Canton, referred to earlier. The factories were the buildings at, but outside the walls of, Canton in which the Western traders lived during a certain part of the year and carried on all their business. They were combined residences and business houses. Their name is derived from the *factors*, or agents, of the trading companies of the different nations.

**14. Headquarters of the Western merchants: the factories**

The word 'Factory' was an importation from India, where the commercial establishments of the 'East India Company' were so designated, and synonymous with 'agency.' It is well to explain this, as it is now being confounded with 'manufactory.'

**Their size and location**

The space occupied by the foreign community at Canton was about 300 feet from the banks of the Pearl River, 80 miles from Macao, 60 miles from Lintin, 40 miles from the Bogue Forts, and 10 miles from the Whampoa anchorage. In breadth from east to west it was about 1,000 feet. On it stood the Factories, which comprised the dwellings and places of business of each nation originally under one roof. The line of frontage was uniform, all looking due south. The distinction of *new* given to *one* of the two buildings occupied by the 'Company' applied to that one which was rebuilt after the great fire of 1822, which destroyed all the others, with a few exceptions, as well as, according to official accounts, '12,000 Chinese houses, shops, and temples in the western suburb.' Each Factory consisted of a succession of buildings, behind one another, separated by narrow spaces or courts, and running north. The front ones were numbered 1, those back of them, nearly all of three stories, No. 2, 3, and so on. The least numerous Factories were then in the American Hong, the greatest number were in the Danish and Dutch Hongs, which contained seven and eight respectively.

**The Hongs**

The Chinese word 'Hong' was applied to any place of business, but was more particularly used to designate the Hongs of the 'Security Merchants,' whence Hong Merchants or any foreign Factory in its entirety. It signifies a row of buildings. By the Chinese, the places of business of foreigners were known as 'Foreign Hongs;' those of the Security Merchants as 'Foreign Hong Merchants.'

Beginning at the west, stood the Danish Factory; adjoining it were Chinese shops in its whole length, forming New China Street, which here intervened, separating it from

the Spanish. Next the French, and by its side in its whole length, that of the Hong Merchant Chungqua; Old China Street here came in, and against it was the American, then the Imperial, by its side the Paou-shun, next in order the Swedish, the old English, and then the Chow-Chow.* Now came a small narrow lane, the renowned Hog Lane, most appropriately named. The high walls of the new English Factory bordered the lane, having as next neighbour eastward the Dutch, and next to this stood the Creek Factory. The latter took its name from a small creek, which, running down along the walls of the city, here emptied into the river. Originally this creek formed the ditch of the west side of the city.

The entire number of buildings, therefore, was thirteen. Immediately in their rear, and running east and west, was a long, narrow, but important street, named 'Thirteen Factory Street.'

From the front of the new English a long broad terrace projected toward the river, its columns supporting an entablature, whose pediment bore the arms of England with the substitute of 'Pro Regis et Senatus Angliae' for 'Honi soit qui mal y pense.' The Dutch company ('Maatschappay') possessed a similar terrace, with the national arms and motto 'Je maintiendrai.' These two, the English and Dutch Companies, were the direct successors of those founded on December 31, 1600, and in 1602 respectively. The English Jack, the Dutch, the United States, and the Spanish flags, were daily, in 1825, hoisted before those respective Factories, and were visible from a great distance. The Spanish flag represented the Philippine Company. The French flag was hoisted on December, 13, 1832, after an interval of thirty years; it denoted simply the Canton residence of the Consul, as the trade of that country was insignificant, while the Swedish, Danish, and Imperial (Austrian) direct commerce had ceased, and no other Western nation traded directly with Canton. Portugal was confined in her commercial relations to her own colony of Macao; Russia to Kiachkta. From the port of Cha-po, on the east coast of China, two junks sailed annually to Nagasaki. Siamese vessels would occasionally be seen at Whampoa, when conveying tribute bearers on their way to Pekin, and not far from the Factories was the residence of the Ambassadors.

Location of European trading centers

At the northern extremity of Old China Street, and facing it, stood an extensive and handsomely built series of buildings, in the Chinese style, called the 'Consoo' House, or 'Council Hall of the Foreign Factories.' It contained numerous suites of rooms for receptions and business, with open courtyards, and was always kept in excellent order and cleanliness by the Chinese in charge. It was the property

The "Consoo" House

* 'Chow-Chow,' mixed.

of the Hong merchants collectively, and was maintained by funds appropriated by them for the purpose. When any event bearing upon the foreign trade required it, such as new regulations, or confirming old ones, or a revision of duties, the 'Tai-pans' or *Chiefs of Houses* would be invited to meet the Hong merchants and discuss the subject. Any foreigner went if inclined, and would occasionally learn of many official acts, having a bearing upon business, and even upon his daily walks or boat-pulling on the river, which may have come under the notice of the authorities, who would have suggested shorter journeys or the exercise of care from collisions. It was also in the Consoo House that the Hong merchants met, or a committee of them, in the rare cases of bankruptcy or pecuniary difficulties of one of their number, and it was the depository of books of accounts relative thereto, as well as of records of meetings. The entrance to it was by a flight of broad granite steps, through large heavy folding doors of a highly polished and valuable wood.* Being a handsome specimen of this style of Chinese architecture, foreign visitors to Canton were taken to see it as one of the sights.

The Factories: interior arrangements

The Factories were the individual property of the Hong merchants, and were hired of them. By law. no women were permitted to enter them, nor were guns, muskets, powder, or military weapons allowed to be brought within the gates. Entrance to the rear Factories was by arched passages running through those in front. The lower floors were occupied by counting-rooms, go-downs, and store-rooms, by the rooms of the Compradore, his assistants, servants and coolies, as well as by a massively built treasury of granite, with iron doors, an essential feature, there being no banks in existence. In front of each treasury was a well-paved open space, with table for scales and weights, the indispensable adjuncts of all money transactions, as receipts and payments were made by weight only, except in some peculiar case. The second floor was devoted to dining and sitting rooms, the third to bed rooms. As almost all were provided with broad verandahs and the buildings put up with care, they were quite comfortable, although in every respect devoid of ornamental work. In front of the middle Factories between Old China Street and Hog Lane ran a broad stone pavement, and this bordered an open space running down to the banks of the river, a distance of about 300 feet. On the east side it was bounded by the wall of the East India Company's landing place and enclosure, and on the west by the wall in front of the landing and enclosure of Chungqua's Hong. The Chinese were prohibited from loitering about this 'Square,' as it was called.

* Siamese teak.

On the corner of Old China Street and the American Hong stood a guard-house with ten or a dozen Chinese soldiers, acting as police to prevent disturbance or annoyance to the 'foreign devils.' On the edge of the river, facing the 'Pow Shun' and the Creek Hongs were 'Chop' houses,* or branches of the Hoppo's department, whose *duty* it was to prevent smuggling, but whose *interest* it was to aid and facilitate the shipping off of silks (or the landing of cloths) at a considerable reduction from the Imperial tariff. A few pleasant words, accompanied by a fee, would secure a permit for the boat of the 'Wandering Eagle,' to be allowed to pass all revenue cruisers 'without molestation' on her way to Whampoa.

Difference between the Factory and the Hong

The words Factory and Hong were interchangeable, although not identical. The former, as will have been seen, consisted of dwellings and offices combined. The latter not only contained numerous officers for *employés*, cooks, messengers, weighmasters, &c., but were of vast extent, and capable of receiving an entire ship's cargo, as well as quantities of teas and silk. When speaking of their own residences, foreigners generally used the word 'Factories:' when of a Hong merchant's place of business, the word Hong. The Swedish Factory, however, seemed to enjoy the distinction of going by its Chinese appellation, viz. 'Suy-Hong.'†

Of the hong merchants, by far the best known was Houqua, whose real name was Wu Tun-yuan (1768–1843). The business name, or *hao*, of his firm was Ewo. Houqua was noted among the Europeans for three characteristics: absolute honesty, friendliness, and remarkable generosity. Besides the contribution made by him toward the ransom of Canton in 1841, and the purely voluntary gifts—of which the following are merely examples – he contributed $1,000,000 of the $3,000,000 agreed on in the Nanking treaty as being due the British merchants.

15. Houqua's fortune estimated

The amount of Houqua's fortune was frequently a subject of debate; but on one occasion, in referring to it in connection with his various investments in rice-fields, dwellings, shops, and the banking establishments known as shroffs, and

*Any mandarin or official station was locally known as 'Chop-house.'

†The Chinese name for Sweden is Suy-kwŏ.

including his American and English shipments, he estimated it, in 1834, at twenty-six millions of dollars. Assuming the purchasing power of money at that time as being but twice greater than at the present day, it would now represent a sum of $52,000,000. He was a person of remarkably frugal habits (as regards his style of living) from choice and from being of a feeble frame of body. His generosity was boundless, and in accounts he was singularly methodical and precise, never multiplying them beyond what was absolutely necessary. The two or three rooms which he occupied during hours of business in his vast, well-regulated Hong were furnished with simplicity itself. . . .

Houqua's simplicity

Numerous instances of munificence and generosity can be recorded on the part of the Hong merchants. I relate some of the *senior* one as illustrations. He would accept the direct consignment of an American ship, if it was commanded by an old friend. Such a one came to Whampoa, commanded by Captain C—, having on board a cargo consisting in a great measure of quicksilver. The price of this article was much depressed at the time. It was landed at Houqua's Hong and stored, he offering to take it at its market value. Several months elapsed, when the close of the south-west monsoon foretold 'business', and the Factories began to look out for return cargoes for their ships of new teas daily arriving. Quicksilver still remained without demand. At the price it bore, a considerable deficiency would exist in the capacity of the vessel and the quantity of teas which could be bought with the proceeds. At the same time news had arrived of an improvement in prices at New York which exhibited a large profit. Captain C—, therefore, judging it better to sell his quicksilver and load with all the despatch he could with as many teas as it would purchase, closed the sale, which was, in commercial phraseology, 'puttee book' (duly recorded). Tea purchases were then immediately made, in the course of which Houqua said to his consigner, 'olo flen,* you shall have a full cargo to return with; I will furnish it, you can pay my next voyage—you no trub' (give yourself no anxiety). Everything being thus definitely arranged, the vessel commenced loading, and was half full, when Houqua came to Captain C— and informed him that a sudden demand had risen for 'quick'† on the part of northern merchants returning to their provinces, that it had advanced materially in value, and he had been credited with the parcel he brought out *at the price of the day;* moreover that he had cancelled on his books the first purchase. This

16. Stories of Houqua's generosity

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*Pigeon-English for 'old friend.'

†Pigeon-English for 'quicksilver.'

generous act on the part of his consignee enabled Captain C— to leave with a full cargo, all paid for, and made a difference in the outturn of his voyage of nearly 30,000 dollars. This information I received some years after at Canton from Captain C— himself.

An American gentleman, who had resided many years at Canton, and had possessed a considerable fortune, met with serious losses. The hope of regaining it induced him to continue operations, in which he was materially assisted by Houqua. They had been, as was usually said, in the words of the place, 'olo flen.' Time passed, considerable sums were placed at the disposal of Mr. W—, no reference being made to them by the Hong merchant until, at the end of a second or third year, Houqua's and his accounts were compared, and the balance in favour of Houqua was 72,000 dollars. For this amount he took a promissory note and it was locked up in his strong box. From knowing Chinese, I was often behind the scenes on similar occasions, not that the holder had any doubt of irregularity on the part of the signers, but simply to translate them into his language for his own satisfaction. It may be stated here that not a single Chinese then existed at Canton who could read or write English. I found that these notes bore simply the endorsement of sum and date with the names of the drawers. Time still went on; Mr. W— had frequently expressed a desire to return to the United States, but hoped that a 'good turn' would take place in his affairs and enable him to cancel his note. It was cancelled in a most unexpected manner!

One day, when on a visit to his Chinese friend, the latter said, 'You have been so long away from your own country why do you not return?' To which Mr. W— replied that it was impossible—he could not cancel his note, and this alone would prevent him. Houqua enquired if the bond, only, kept him in Canton, and if he had not some means wherewith to provide for a residence at home? The answer was that no other debts existed and he was not without resources—but the note!! Houqua summoned his purser, and ordered him to bring the envelope containing promissory notes from the treasury. Taking out that of Mr. W—, he said, 'You and I are No. 1, "olo flen;" you belong honest man, only no got chance.'* He then tore the note up, and throwing the fragments into the waste-paper basket, added, 'Just now hav settee counter, alla finishee; you go, you please.' That is to say, 'Our accounts are now all settled, you can leave when you like.'

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*'Unfortunate.'

One of the first signs by which a European or an American knows that he has left his own surroundings when he embarks for the Orient is the strangely garbled and clipped language which he hears on the boat. It is an easier "language" to acquire than Chinese or Japanese, and since it seems to go a long way in the East many Westerners satisfy their linguistic ambition with a ready command of pidgin English rather than attempt the languages of the Orient. Several examples have been given above. The following is an attempt to account for the origin of pidgin—or, as some call it, pigeon—English.

17. Pidgin English

*Pigeon-English* is the well known name given to that unique language through the medium of which business was transacted and all intercourse exclusively carried on between the 'Western Ocean' foreigners and Canton Chinese. For years after my arrival but three foreign residents were Chinese scholars—namely, Doctor Morrison; the present Sir John Francis Davis, the last Chief of the English East India Company's establishment; and one American, myself—while 'Pigeon-English' had grown up with the early days of foreign intercourse with the port of Canton. . . .

Its origin

It was undoubtedly an invention of the Chinese, and long anterior to the appearance of the English at Canton in its origin, as may be proved by the admixture of Portuguese and Indian words still to be found in it, the latter having probably been originally made known by those primary visitors from the Western world *viâ* India. The English came more than a hundred years after; words from their language were then gradually incorporated, and increased with the disappearance of the Portuguese, who confined themselves to their own growing colony of Macao, until, finally, the former became the principal traders, and thus this language became known as Pigeon-English.

The word 'pigeon,' is simply a corruption of 'business' and with its companion means *business*-English. Of Portuguese origin we have the most undoubted proof in such words as *mandarin*, from mandar, to order; *compradore*, from compra, to buy; *joss*, from Deös; *pa-te-le*, from padre; *maskee*, from masqué, never mind; *la-le-loon*, from ladraõ, a thief; *grand*, from grande, the chief, as, for instance, 'grand chop;' *junk*, from the Portuguese sound of Chuěng in the dialect of the East Coast, where they first traded. Of Indian words we have *bazaar*, a market; *shroff*, money dealer; *chunam*,

lime; *tiffin*, luncheon; *go-down*, from ka-dang; *lac*, one hundred thousand; *cooly*, a labourer; *chit*, a note or letter; *bungalow*, a cottage; *kāārle*, curry, and others. . . .

Chinese divisions of foreigners

Although by the Chinese all foreigners were called 'Fan Kwaes,' or 'Foreign Devils,' still a distinction of the drollest and most characteristic kind was made between them. The English became 'Red-haired devils;' the Parsees, from the custom of shaving their heads, were 'White-head devils;' Moormen were simply 'molo devils.' The Dutch became 'Holan,' the French 'fac-lan-sy,' and the Americans 'Flowery-flag devils.' Swedes were 'Suy' and the Danes 'Yellow-flag devils.' The Portuguese have never ceased to be 'Seyang Kwae,' thus retaining the name first applied to them on their arrival from the 'Western Ocean' (which the words signify), while their descendants, natives of Macao, are 'Omum kwae,' or 'Macao devils' from the Chinese name of the town.

18. Destruction of the Factories: 1857

It is pleasant to read the foregoing accounts of peaceful trading relations; it is necessary to remember, however, in the light of what follows in the next chapter, that these were the relations between private merchants of China and the Western countries. The *official* relations were often otherwise. In these the foreigners as well as Chinese were often far from faultless.

I have been thus specific in the description of these world-renowned Factories, as they were subsequently razed to the ground consequent upon Sir Michael Seymour's bombardment of the city of Canton. When I last visited the site, nearly thirty-five years after I first took up my residence in them, it was literally unrecognisable. It presented a scene, the desolation of desolation; there remained not one stone upon another! For more than one hundred years they had formed the sole residence of foreigners within the limits of the vast Chinese Empire. The business transacted within their walls was incalculable, and I think I am safe in saying that from the novelty of the life, the social good feeling and unbounded hospitality always mutually existing; from the facility of all dealings with the Chinese who were assigned to transact business with us, together with their proverbial honesty, combined with a sense of perfect security to person and property, scarcely a resident of any lengthened time, in short, any 'Old Canton,' but finally left them with regret.

Protection of foreigners by Chinese

In no part of the world could the authorities have exercised a more vigilant care over the personal safety of strangers

who of their own free will came to live in the midst of a population whose customs and prejudices were so opposed to everything foreign, and yet the Chinese government was bound by no treaty obligation to *specially* provide protection for them. They dwelt at Canton purely on sufferance. Neither Consul nor any other official representative from abroad was directly acknowledged as such, and yet the solicitude of the local government never flagged. In addition to the guards always posted at the corner of the American Hong and Old China Street, others were stationed in various directions in the suburbs frequented by foreigners, in order that any Chinese who might be troublesome could be driven off, or that they could escort back to the Factories those who were uncertain of their whereabouts.

During the north-east monsoon fires were quite frequent in the densely populated suburbs lying north of the Factories. When they threatened the foreign quarter the Hong merchants acting in consonance with the known wishes of the Mandarins, would send gangs of armed coolies to assist in the removal to boats provided by them of books, papers, treasure, and personal effects. All strange Chinese would be ruthlessly driven from the Square, and an unobstructed passage to the boat secured. I have witnessed this repeatedly. Should a foreigner get into a disturbance in the street, and it was generally safe to say it was through his own fault, the Chinamen went to the wall. When a mob of many thousand ruffians invaded the Factory Square, as in November 1838, shortly preceding the opium surrender, and with stones and missiles of all sorts drove the foreigners inside their gates, which they were forced to barricade, a not unnatural anxiety prevailed amongst us as to what might be the result. Yet this attack was *caused by foreigners, who interfered with the Mandarins* while attempting to carry out Government orders.

The "red-headed devils"

Some amongst these different nationalities, tradition said the Dutch, had *red hair*, which led the Chinese facetiously to apply the term 'Red-headed Devils' ever after to all foreigners alike. They themselves give to the whole of their own race the name of 'Black Hair'd.'

### *Section 6. Methods of Anglo-Chinese Trade*

In their dealings with the strange Westerners it was to be expected that a people so addicted to "custom" and "propriety" as the Chinese should create the most minute of regulations for the managing of the "barbarians." Such was the case. Some of these regulations were sen-

sible and necessary; others were, to the Western point of view, at least, absurd and trivial. However, as was pointed out by Dr. Morrison in a discussion quoted elsewhere, not all of the laws and regulations were supposed to be observed; they were, however, on the books to be applied *when and if the officials desired.* They worked somewhat after this fashion: Some of the regulations were to be applied to all the foreigners all the time; all were to be applied some of the time; but not all were to be applied all of the time.

**19. The "eight regulations"**

The authorities framed eight regulations for the especial government and control of these divers people from afar. They date from the year 1760, and are curious enough to recall. Never having been abrogated, they were assumed to be in force always. They were confirmed by an edict of the Emperor Kea-King in 1819, after a revision in 1810. Some of them came to be disregarded by the foreign community, particularly those referring to the Gardens, the Honam Temple, and pulling in their own boats on the river; but so far as regards women entering the Factories an infringement of them in this essential particular took place in 1830, as will be seen hereafter.* The chief sufferers in the event of a disregard of any important item of the regulations would of course be the Hong merchants. The 'Eight Regulations' were now and then brought to the Factories by a Linguist, as an intimation that they were not to be considered a 'dead letter.' Translated into English they read thus—

*Regulation* 1.—All vessels of war are prohibited from entering the Bogue. Vessels of war acting as convoy to merchantmen must anchor outside at SEA till their merchantships are ready to depart, and then sail away with them.

*Regulation* 2.—Neither women, guns, spears, nor arms of any kind can be brought to the Factories.

*Regulation* 3.—All river-pilots and ships' Compradores must be registered at the office of the 'Tung-Che,'† at Macao. That officer will also furnish each one of them with a license, or badge, which must be worn around the waist. He must produce it whenever called for. All other boatmen and people must not have communication with foreigners, unless under

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*The Chinese threatened to stop the trade [Ed. note].

†An assistant-magistrate. Up to 1848 Macao was under the joint government of the Portuguese and Chinese.

the immediate control of the ships' Compradores; and should smuggling take place, the Compradore* of the ship engaged in it will be punished.

*Regulation* 4.—Each Factory is restricted for its service to 8 Chinese (irrespective of the number of its occupants), say 2 porters, 4 water-carriers, 1 person to take care of goods ('go-down coolie'), and 1 mā-chen (intended for the foreign word 'merchant') who originally performed all the duties of the 'House Compradore,' as he is styled to-day.

*Regulation* 5 prohibits foreigners from rowing about the river in their own boats for 'pleasure.' On the 8th, 18th, and 28th days of the moon 'they may take the air,' as fixed by the Government in the 21st year of Kea-King (1819). All ships' boats passing the Custom-houses on the river must be detained and examined, to guard against guns, swords, or firearms being furtively carried in them. On the 8th, 18th, and 28th days of the moon these foreign barbarians may visit the Flower Gardens and the Honam Joss-house,† but not in *droves* of over ten at one time. When they have 'refreshed' they must return to the Factories, not be allowed to pass the night 'out,' or collect together to carouse. Should they do so, then, when the next 'holiday' comes they shall not be permitted to go. If the ten should presume to enter villages, public places, or bazaars, punishment will be inflicted upon the *Linguist* who accompanies them.

*Regulation* 6.—Foreigners are not allowed to present petitions. If they have anything to represent, it must be done through the Hong merchants.

*Regulation* 7.—Hong merchants are not to owe debts to foreigners. Smuggling goods to and from the city is prohibited.

*Regulation* 8.—Foreign ships arriving with merchandise must not loiter about outside the river; they must come direct to Whampoa. They must not rove about the bays at pleasure and sell to rascally natives goods subject to duty, that these may smuggle them, and thereby defraud His Celestial Majesty's revenue."

The accounts given above show pretty well how the monopoly on the side of the Chinese was managed. It is necessary now to try to understand the methods employed by the English in trading with the Cantonese

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*At this time the ships' Compradores were engaged at Macao and not at Whampoa.

†Buddhist Temple.

merchants. A monopoly was used by them also. A modern writer has clearly summarized the main characteristics of the East India Company at Canton.

**20. The English East India Company at Canton**

On the other side we have as the chief figure the East India Company, also an organized and privileged body, and, as such, regarded very differently by the Chinese from the individual trader of whatever nation. The Company was fortunate in obtaining privileges both from China and from Great Britain. It is necessary to bear in mind this twofold advantage, if we would appreciate clearly the trend of events.

Throughout the various vicissitudes of its fortunes, and in spite of the modifications introduced at successive renewals of its charter, the East India Company maintained its monopoly of the China trade intact. At Canton, it had a permanent organization, headed by a Select Committee of supercargoes, exercising administrative as well as commercial functions.* By way of making the monopoly more secure, the entire tea trade, within the limits of its Charter, from the Cape of Good Hope to the Straits of Magellan, was rigidly reserved. In the home market also it was supreme; though its methods of procedure in the matter of sales of tea and the limits of prices were carefully defined by law. . . . But the Company did not engage in every province of trade at Canton: it permitted certain modifications of the severity of the terms of the Charter. Officials of the Company were allowed to carry on a limited trade on their own behalf, and readily took advantage of the permission. Moreover, trade between India and China was carried on by British subjects and natives of India, under licence of the Administration; but the mere fact of a licence being necessary gave the Directors wide powers of control, and they exercised a very real and effective authority over the 'country trade' as it was styled. Occasionally, they granted licences to British ships to engage in the fur trade between the coast of America and Canton, but the conditions were so onerous that they amounted almost to prohibition. There remained the direct trade between China and Europe and the United States. . . .

**Its commercial and administrative functions**

**The American rivals**

At the beginning of the nineteenth century, the Americans alone could claim to be considered as rivals of the great English Company. They had profited by their position as neutrals during the European wars and had greatly

*The Committee had wide powers of arrest and seizure both of persons and ships contravening the Acts of Parliament under which they enjoyed their privileges. 26 Geo. III. cap. 57; 33 Geo. III. cap. 52; 53 Geo. III. cap. 155.

extended their general carrying trade with the colonies and the Far East. In addition to that of America, they engrossed the greater part of the trade to continental Europe; though British and continental goods, in considerable quantities, found their way overland, through Russia to Kiakhta, where they were bartered for tea. The fact that such trade could be carried on profitably, in spite of the difficulty and cost of land-transport, was naturally used as an argument by the advocates of greater facilities for trade by sea. The East India Company apparently considered that the European trade was not contemplated in its Charter, and perhaps was not of sufficient promise to warrant any special effort for its prosecution. So we find the anomaly that foreigners profited by a business which the Company itself declined to undertake though other British subjects were excluded by the terms of the Charters. The Americans even shipped cargoes from England itself with impunity, though the Company was necessarily acquainted with this open infraction of its privileges. This fact provided the strongest argument in support of the case of the private British merchant against the monopoly of the Company, which was the object of much Parliamentary inquiry during the first thirty years of the century. . . .

The commercial position of the Company, at the end of the eighteenth century, had been evolved gradually in a series of trials of strength with the Hong and the officials. Monopoly was met by monopoly; and, on the whole, as its profits showed, the English Company had no great reason to be dissatisfied with the result. It fixed prices by negotiation, from year to year, and invariably had the pick of the market; while, in the absence of effective competition, it was enabled to some extent to force English goods on the unwilling Chinese merchant. It had obtained, by custom, the privilege of communicating with officials in the Chinese language, and its letters passed through the hands of the Hong with the seals unbroken; though official replies were invariably addressed to the Hong, which was responsible for bringing them to the notice of foreigners generally. Moreover, the factory employed its own native servants and linguists, and was, as a rule, free from official intrusion. . . .

The natural and inevitable difficulties of commercial intercourse at Canton were increased by circumstances over which the Company had little or no control. The ideas of international law, long established in Europe, were entirely unknown to the Chinese. In their view the barbarians were admitted to trade at Canton purely on sufferance; they had no established rights and no recognized representatives, and they must submit entirely to the jurisdiction

of the native official. In commercial relations, on the admission of many hostile witnesses, the evil was not greatly felt, owing to the general probity of the Chinese; in fact it was commonly stated that business was transacted more easily at Canton than at the majority of European ports. It was otherwise when questions of criminal jurisdiction arose.

Some idea of the standing and reputation of the Company at Canton, among both Chinese and non-English, is gained by Mr. Hunter's comments and his description of a dinner given in the Company's factory.

**21. The Company's Factory at Canton**

Originally there existed two English East India Companies, the oldest of which was incorporated in 1579. In the year 1600 they amalgamated, and received a charter from Queen Elizabeth. At the same time they assumed the title of the 'United East India Company,' and as a trade-mark, a heart with two transverse bars, bearing in the four divisions thus formed the letters V. E. I. C.

This trade-mark had acquired such a well-merited reputation at Canton, that it was considered unnecessary to examine any package of merchandise that bore it. A simple exhibition of musters were made, when transactions were concluded, and the original packages forwarded unopened to all parts of the Empire. The Company's vessels first arrived at Canton between 1650 and 1660, and tea was first used in England in 1666.

By the Chinese the Company was known as Kung-Se the characters signify 'United Affairs.' By the Canton community its representatives collectively were universally referred to as 'The Factory.' They were much more numerous than the members of any other establishment. . . .

**An entertainment in the Factory**

The 'Factory' entertained with unbounded hospitality and in a princely style. Their dining-room was of vast dimensions, opening upon the terrace overlooking the river. On the left was a library, amply stocked, the librarian of which was Dr. Pierson; on the right a billiard-room. At one extremity of the dining-room was a life-size portrait of George IV. in royal robes, with crown and sceptre, the same that had been taken by the Embassy of Lord Amherst to Pekin,

offered to and refused by the Emperor Keen-Lung, and brought to Canton overland. Opposite to it hung a smaller full-length portrait of Lord Amherst.

From the ceiling depended a row of huge chandeliers with wax lights ; the table bore candelabra, reflecting a choice service amidst quantities of silver plate.

I was glad to have witnessed this sight, unique in that distant quarter of the world, to reach which the old adage would apply, 'it was not every one who could get to Corinth.' Soon after I landed at Canton, I had the honor of a first invitation to dine with the Factory, and must confess that at my then age I accepted it with fear and trepidation. One of the *invité* from the Suy-Hong, Mr. Oliver H. Gordon, accompanied me. Our way led through the great outer gate, past the 'chapel' whose spire bore conspicuously a large clock, the only one in Canton, and by which every one regulated his watch; then up a broad flight of stone steps to a verandah, crossing which one entered the library and reception-room as well. When the host and the guest had assembled, large folding doors were opened and we entered the noble dining-room, whose brilliancy and cheerfulness and gorgeously furnished table I see *now*. At the remote end of the room were grouped the Chinese servants of the Factory and of the guests, in caps and long robes, who immediately took up their places behind their respective masters as soon as seated. . . .

End of the E. I. Co in Canton, 1833

But the days of the Honorable East India Company were now unconsciously drawing to an end. It had existed for 250 years! It ceased as a 'commercial' body in 1833. Many members of the 'Factory' were then removed to India, and there took up civil appointments. Messrs. Astell and Clarke alone remained at Canton to close up outstanding affairs, and finally left in December 1839. Twenty-five more years were accorded to the Company, after 1833, to transfer to the Crown the splendid empire those enterprising merchants had founded in India, and in 1858 its sun set—politically.

## *Section 7. Contrasts in Official and Commercial Attitude of the Chinese at Canton*

In thinking of the relations between Chinese and foreigners it is comparatively difficult, but very necessary, to remember that neither Chinese nor foreigners acted as a unit in their intercourse. On the Chinese side there were the central and local officials, the hong merchants and other traders, and "the people"; on the foreign side

there were the various nationals of Europe and America; these were at first almost exclusively commercial, but soon were divided into three main classes: commercial, official, and missionary. If this be kept in mind, such differences in attitude as are expressed below will not be matters for surprise.

22. Two proclamations issued by the governor and the hoppo, 1834

We have no pleasure, but rather the opposite feeling, in laying before our readers the two following official papers. The first, (or something like it,) is an annual production, usually published at the commencement of the business season. In consequence of a remonstrance, it did not make its appearance during the last two years; but to make up for that deficiency, the present edition has been republished by the chief magistrates of Nanhae and Pwanyu. The contrast which is drawn in this paper between the members of the present co-hong and the shameless merchants of former times is a curious specimen of Chinese rhetoric, and shows how much it behooves the present fraternity to have 'a tender regard for their face,' lest they should lose their present high reputation for propriety and respectability.—It is much to be regretted that the barbarians should ever afford any occasion for such a proclamation; and we would never screen from just reproach such as are guilty; but we greatly err in the opinion, if it is not the duty of the foreign residents to protest against such documents being placarded before their own eyes, and on their own dwellings. If there are malefactors, let them be tried and punished according to the law, but let not the *community* suffer such wrongful insult and injury.

*Proclamation against the hong merchants conniving at and abetting vice in foreigners. Issued by the governor and hoppo, Nov. 15th, 1834.*

Loo, governor of the provinces Kwangtung and Kwangse, and Pǎng, superintendent of customs of Canton, &c. hereby issue a severe interdict.

The barbarians of outside nations who trade within the central territories, are all in their spoken language unintelligible to, and in their written language different from, (the Chinese). It is therefore very difficult for them to understand clearly the proprieties, the laws, and the prohibitory orders of the celestial empire; and on this account hong security merchants, and linguists, have been appointed to rule and control commercial transactions. These persons

ought, doubtless, continually to instruct and guide (the barbarians); to repress their pride and profligacy; and to insist on causing them to turn with all their hearts toward renovation; that both parties may enjoy the repose of gladness and gain,—every one keeping in his own sphere, and minding his proper business. Moreover, the security merchants are all men of property and respectable family; it the more behooves them, therefore, to have a tender regard for their face and reputation, to trade with fairness and equity, not to cheat or deceive; then they will certainly be able to obtain the confidence of men from a distance.

Now we find on inquiry, that formerly there was a set of lawless, shameless hong merchants, who, whenever the barbarians entered the port and took lodgings, endeavored to make gain of them. For this purpose they adopted a hundred schemes to meet their wishes; bought young boys for them, to act as servants and attendants, or procured boat prostitutes for them to gratify their libidinous dispositions; by so doing, not only ruining the morals and manners of the public, but also, it is to be apprehended, creating disturbances. . . .

Hereafter, all are peremptorily required to have a tender regard for their face and reputation, and to repent, with bitter contrition, of their former faults. At every landing place behind the hongs, (i. e. in the front of the factories), where barbarians reside, they must not allow the *tanka* boats to anchor. And when barbarians pass up or down between Canton and Whampoa, they must not seek out and hire for them tanka boats having families on board.

As to the foreign menials whom they bring with them, they are in every way sufficient to attend on and serve the barbarian merchants; they are not at all permitted to hire and employ natives. If any presume to continue to hire Chinese and young boys for them as servants; or, forming unlawful connections with barbarians, lead them clandestinely to the tanka boats, to drink wine and sleep with courtezans; or, under the darkness of night, secretly take shore-prostitutes into the factories;—so soon as the patrol and watchmen, having found and seized them, report the fact, or so soon as such practices shall have been otherwise found out, the lawless barbarians, together with the security merchants and linguists, shall assuredly be sent to the local officers, to be tried and punished according to law, with severity. . . .

We, the governor and hoppo, will firmly adhere, without deviation, to the law, and assuredly, will not show the slightest indulgence. Let every one obey with trembling fear. Be careful not lightly to make experiment. A special proclamation.

*Imperial edict against extortions of the hong merchants under the name of duties, and against contracting debts to foreigners.*

At Canton there are merchants who have of late been in the habit of levying private duties, and incurring debts to barbarians; and it is requested that regulations be established to eradicate utterly such misdemeanors.

The commercial intercourse of outside barbarians with the inner land, is owing, indeed, to the compassion exercised by the celestial empire. If all the duties which are required to be paid, can indeed be levied according to the fixed tariff, the said barbarian merchants must certainly pay them gladly, and must continually remain tranquil. But if, as is now reported, the Canton merchants have of late been in a feeble and deficient state, and have, in addition to the governmental duties, added also private duties; . . . if the merchants, thus falsely, and under the name of tariff duties, extort each according to his own wishes, going even to the extreme degree of incurring debts, amount upon amount, it is not matter of surprise, if the said barbarian merchants, unable to bear their grasping, stir up disturbances. Thus, with regard to the affair this year of the English lord Napier and others disobeying the national laws and bringing forces into the inner river, the barbarians being naturally crafty and artful, and gain being their only object, we have no assurance that it was not owing to the numerous extortions of the Canton merchants, that their minds being discontented, they thereupon craftily thought to carry themselves with a high hand. If regulations be not plainly established, strictly prohibiting these things, how can the barbarous multitude be kept in subjection, and misdemeanors be eradicated? . . . Make known this edict. Respect this.

Compare with these proclamations of the governor and the hoppo the comments of Mr. Hunter on the style of personal letter sent by the hong merchants when they found it necessary to correspond with the foreigners.

**23. Private correspondence in contrast to official**

In contrast to the style of official language, private letters from the Hong merchants left nothing to be desired in civility. Here is one of many. In the year 1837, a few of us younger members of the community established the 'Canton Regatta Club,' for boat-pulling and sailing on the

river, our chief amusements and mode of taking the air. Nothing like a club had yet existed. Presently the Hong merchants, in virtue of their office as 'guardians' of our persons, as well as our 'securities' in the eyes of the local government, on hearing of the club organisation, being apprehensive of accidents, they wrote this letter to one of the members:—

'Ham Tak, venerable old gentleman,—We beg respectfully to inform you that we have heard of the intention of our respected elder brother and other chin-te-le-mun * to race boats on the river. We know not if this is true, but heretofore it has not been custom. Should the authorities hear of this, we your younger brothers would be reproved, not mildly, for permitting you to act so indiscreetly. On the river, boats are mysteriously abundant; everywhere they congregate in vast numbers; like a stream they advance and retire unceasingly. Thus the chances of contact are many, so are accidents, even to the breaking of one another's boats, to the injury of men's bodies, while more serious consequences might ensue.

'We therefore beseech our worthy senior to make known to the other chin-te-le-mun that they would do well to refrain from contesting the speed of their boats on the river, so that after troubles may not accumulate. Then all will be well. Daily may your prosperity increase, without difference.

'(Signed)
'HOUQUA, MOUQUA, PWANKEIPUA,
AND OTHERS.

### *Section 8. The Doctrine of Official Responsibility and Its Results*

The relations of the foreigners and the officials at Canton cannot be comprehended, especially in their legal aspects, unless the doctrine of official responsibility is kept in mind. Throughout the period one reads in the proclamations and sees examples in the dealings of merchants with foreigners, of merchants with officials, of the lower officials with higher ones, the fear of punishment from above. Often, as we shall see, a merchant

* Pigeon English for 'Gentleman.'

or an official was punished for what he was powerless to prevent because he was officially responsible. The essence of the theory of official responsibility is well summarized by Mr. T. R. Jernigan in his *China in Law and Commerce.*

24. The essence of the doctrine

No correct understanding of either the criminal or civil branch of the law can be arrived at without constantly bearing in mind the doctrine of mutual responsibility. This doctrine is the keynote of the entire system and gives to the system its penal and relentless character. "It makes an officer careless of his duties if he can shift the responsibility of failure upon his inferiors, who, at the same time, he knows can never execute his orders; it renders the people dead to the impulses of relationship, lest they become involved in what they cannot possibly control and hardly know at the time of its commission." (Williams) The relentless feature of the doctrine is so strongly drawn, in connection with the doctrine of mutual responsibility, that I quote the very language. After stating that when several persons are parties to one offence, the original contriver of it shall be held to be the principal and the rest who follow as accessories, the language of the Code is as follows: "When the parties to an offence are members of one family, the senior and chief member of that family shall alone be punishable, but if he be upward of eighty years of age, or totally disabled by infirmities, the punishment shall fall upon the next in succession."

The members of a Chinese family are those who live as members of the same household, which includes all who enter by marriage or adoption as well as slaves and servants. . . .

Next to family responsibility comes the mutual responsibility of neighbour for neighbour, and the question whether the neighbours are related does not count in fixing the responsibility. The deciding principle is that good neighbours make good neighbours, and when a neighbour commits an offence, it is no defence for another neighbour to say, "I did not know anything about it," for the answer is, "You are the neighbour of the offender and should have known." It is reported that the mother of Mencius removed three times in order to live in a desirable neighbourhood. . . .

From the neighbour to the village is another step in the doctrine of mutual responsibility. It has already been pointed out what important functions are exercised by the head-man of a village, and that these functions are of a most miscellaneous nature. Although the head-man may be first held responsible for the conduct of the inhabitants of the

village, responsibility attaches more or less to every inhabitant and makes it the interest of each one to aid in preserving peace and order. . . .

General conclusions

Both in theory and practice the doctrine of responsibility is savage and cruel in the light of modern jurisprudence; but, constituted as the Chinese are, and have been since known to authentic history, it is doubtful if the vast numbers who populate China could be held in obedience to authority by a principle less searching and merciless.

The following are some of the theoretical aspects of the doctrine as applied from the highest to the lowest in the service of the emperor.

25. Theoretical application of the doctrine

The most potent cause of all, however, is the responsibility to which every subject of the empire is held for anything that may occur, however remotely connected with him. A theft is committed in a village; the village is held responsible, jointly and severally, and with the village its tipao, the official head. A commits suicide on B's doorstep; B is held responsible. The Yellow River bursts its banks; the governor of Honan begs the emperor to deprive him of his titles, since he is responsible. A son commits an offence; the father is held responsible. A bankrupt absconds; his family are held responsible in body and estate. A shop man strikes a blow and goes into hiding; his employer is held responsible for his appearance. A province is overrun by rebels; its governor is held responsible. A murder is committed in a town; the magistrate of that town is held responsible for the discovery and arrest of the murderer, for getting up the case for the prosecution, for trial and judgement, and for the execution of the guilty man; to fail in any one of these responsibilities may well lead to his being cashiered. The result is that nothing which occurs goes unpunished; if the guilty person cannot be found, convicted and punished, then the responsible person must accept the consequences—father, family, employer, village, magistrate, or viceroy.

But the doctrine was not merely theoretical in its application; it was terribly practical, as the governors, viceroys, and generals who failed to "pacify the barbarian" found in the course of the nineteenth century.

26. Application of the theory to officials

It is the ancient custom of the Chinese emperors to punish no less promptly and certainly than they reward;

and a minister or commander who does not at once succeed, or who fails to carry out his promises, or even his boasts, is degraded and otherwise punished more or less severely. When, by lord Napier's command, the English frigates forced the passage of the Bogue, Viceroy Lu was deprived of office, rank, and titles, and, thus humiliated, was ordered to continue to perform the duties of his post. Hsü Nai-tsi memorialised, urging that the opium trade should be legalised and brought under control; and, when other views prevailed in the Imperial council, he was dismissed from office. . . . Viceroy Teng, for his many sins of omission and commission, was, about July 1841, sentenced to transportation to Ili. Lin Tse-sü undertook to suppress the opium traffic by a policy of fire and the sword; his course entailed disaster to the empire and brought a hostile fleet within reach of the capital; and he was deprived of office, degraded from his rank, and, in July 1841, sentenced to transportation to Ili, the sentence being carried into effect in April 1842. Now came the turn of those entrusted with the task of carrying out the temporary pacific intentions of the emperor. Ilipu, who showed some ability in restoring peace to his charge of Chekiang, was degraded and deprived of his office of Nanking viceroy, and sentenced to transportation to Ili; in April 1842 he was restored to rank and appointed to the lower post of lieutenant-general at Chapu, at the time of its capture; and in August 1842 he was one of the negotiators of the treaty of Nanking, and died, in the spring following, High Commissioner for Canton affairs. On Kishen fell the brunt of the emperor's displeasure; he had risen high, and great was his fall. He was now* degraded, his property was confiscated, and he was ordered to Peking. . . . He was tried by the council of state and condemned to death. . . . Later . . . his punishment was commuted to transportation to the Amur. The terms of the treaty of Nanking were his real justification, and after the peace he was brought back to official life. Foreign judges of the action of a Chinese minister must always bear in mind the application in China of the doctrine of responsibility, and the fate of one who fails of success, or who even fails to forecast intelligently the changing opinions of his master.

Viceroy Lu

Hsü Nai-tsi

Viceroy Teng

Commissioner Lin

Ilipu

Kishen

Closely connected with the doctrine under consideration was the question of jurisdiction. This question, out of which rose that of extraterritoriality, was in reality one factor of the doctrine of official responsibility. In

*March, 1841 [Ed. note].

minor matters the officials were willing that the foreigners should rule themselves; in small affairs the official could afford to be ignorant. He could wink at minor infractions, but the death of a native at the hands of a foreigner or the death of one foreigner at the hands of another could not be overlooked. The difficulties arising from the jurisdiction question were not of small importance.

27. The theory in criminal law

In case of injury to a native, the authorities were bound to find a victim, with little regard for western ideas as to evidence or extenuating circumstances. According to Chinese theory, it was impossible for a criminal to escape the hand of justice; he must be produced and punished, otherwise the credit of the local officials with the Central Government would inevitably suffer. A long series of cases illustrates the difficulties of the question and the manner in which it affected the East India Company. In 1810 an embargo was laid on the Company's ships owing to the death of a Chinese. The ships sailed without leave, but the matter was raised again, with considerable annoyance to the Company, in the following year. It was suggested that the British Government should investigate, but in this and similar cases legal difficulties intervened; the British Crown could have no jurisdiction in China, and the law of England would not even permit the accused to be tried. The Select Committee, on their part, pointed out that the surrender of any individual by them would be equivalent to 'provisional sentence of death,' and that the mere holding of an investigation would be regarded by the Chinese as an admission that some person was guilty and ought to be surrendered. It is unnecessary to enumerate a long list of instances, but a case in 1820 well illustrates the methods of Chinese officialdom in dealing with such matters. A native was killed in an affray, and the Company made the usual offer of monetary compensation to the family; but the Viceroy ordered the Committee to investigate and deliver up the offender, on pain of the total stoppage of trade. The culprit, much to the relief of the Committee, could not be found. There chanced, however, to be at the moment a case of suicide on another ship. The Chinese were allowed to make a judicial investigation, and induced to believe, by evidence fabricated by the seamen, that the dead man was the murderer for whom they were searching. The Committee confess that they facilitated the inquiry in this shape, but in spite of the temptation, 'would not affirm in writing a statement not founded on the truth.' To such

shifts were the representatives of the Company reduced through the illogical character of the position in which they were placed. They had no legal jurisdiction, yet were held liable by the Chinese authorities for the misdeeds of any British subjects, and even for those of foreigners. Minor cases might be settled by money compensation, and the Committee frequently complain that time is thus occupied which ought to be devoted to the duties proper to their position. More serious cases involved the stoppage of trade, threats of violence on the part of the Canton officials, and consequent indignation of the Directors in England. The absurdity of the situation became more striking when the trouble arose from the action of the Royal Navy. In 1822 some Chinese were killed in an affray with seamen from H. M. S. *Topaze*, so the Viceroy insisted on the responsibility of the Committee, and stopped the trade . . . an Imperial edict enforced the view of the Viceroy as to the responsibility of the Committee.

Although extraterritoriality was a matter of growth and was not fully recognized until 1876 when the Chefoo Convention was signed, it seems best to introduce the subject here because of its relation to the conditions prior to 1842. The principles of extraterritoriality were advanced by Mr. Caleb Cushing, American Commissioner to China in 1844, and later Attorney General of the United States.

On June 16, 1844, a mob of rowdies attacked a group of Americans in the American garden in Canton. The latter defended themselves with firearms and one Chinese, Hsü A-man was killed. Mr. Cushing allowed the case to be settled by an American jury, and wrote a letter to the American consul at Canton. In this were laid down the principles of extraterritoriality which the Americans were to apply to such cases in the future.

**28. Mr. Cushing's definitions of the principles of extraterritoriality**

"The nations of Europe and America form a family of States, associated together by community of civilisation and religion, by treaties, and by the law of nations.

"By the law of nations, as practised in Europe and America, every foreigner, who may happen to reside or sojourn in any country of Christendom, is subject to the municipal

law of that country, and is amenable to the jurisdiction of its magistrates on any accusation of crime alleged to be committed by him within the limits of such country. Here the minister or consul cannot protect his countrymen. The laws of the place take their course.

"In the intercourse between Christian States on the one hand, and Mohammedan on the other, a different principle is assumed, namely, the exemption of the Christian foreigner from the jurisdiction of the local authorities, and his subjection (as the necessary consequence) to the jurisdiction of the minister, or other authorities of his own government.

"One or other of these two principles is to be applied to the citizens of the United States in China. There is no third alternative. Either they are to be surrendered up to the Chinese authorities, when accused of any breach of law, for trial and punishment by the magistrates of China, or (if they are to have protection from their country) they come under the jurisdiction of the appointed American officer in China.

"In my opinion, the rule which obtained in favour of Europeans and Americans in the Mohammedan countries of Asia is to be applied to China. Americans are entitled to the protection and subject to the jurisdiction of the officers of their government. The right to be protected by the officers of their country over them, are inseparable facts.

"Accordingly, I shall refuse at once all applications for the surrender of the party who killed Hsü A-man; which refusal involves the duty of instituting an examination of the facts by the agency of officers of the United States.

In order to understand why the Western nations developed and applied the principles of extraterritoriality to China it is necessary to have some idea of the conditions in China, in the middle of the nineteenth century, of the laws, the methods of applying the laws, the judges, the law courts, and the methods of punishment. One of the best descriptions is to be found in Messrs. Lanning and Couling's *History of Shanghai*.

**29. The basis of extraterritoriality**

Exterritoriality, or extraterritoriality . . . is a brand of communal or international law. The term first named is used of the far older and more common custom which makes the official representative of an alien nation unanswerable to any law but that of his own land: the other refers to

such modern practices as have been recognized for at least some two and a half centuries, under which not only ambassadors, ministers, and their staffs are free from all penalties but those of their own code, but all other members of their nation who may be resident in the alien state to which they are accredited. . . . We know that from an early date the East India Company had come to an understanding with the local officials at Canton under which their Factory was to discipline its own people, apparently in all things except cases of homicide, wilful or accidental. These were taken in hand by the officials themselves. Here, then, were some of the first beginnings of that extraterritoriality which, it has been both claimed and denied, found its earliest written hint in the Russo-Chinese Treaty of 1689. . . .

Cases of manslaughter

In all there were but sixteen cases of alleged murder or manslaughter between 1689 and 1833, a period of 144 years, and this, under the circumstances, must be considered a remarkable record. For though the foreign community within the Factories was small, law-abiding, and generally well-educated, running between one hundred and three hundred in number during the greater part of the time, there were on board the collected vessels at Whampoa as many as from two to three thousand seamen, many of whom must of necessity have shared the general character and propensities of their class. Coming into contact with the lowest types of natives, unable to communicate freely with each other, each eager to get as much as possible from the other, and to give as little as possible in return, all having more weapons than scruples regarding their use, the wonder was, not that affrays sometimes occurred but that there were so few of them. . . .

Three important considerations

A number of points suggest themselves in connexion with the list of cases we have mentioned. Three may be emphasised. It is quite plain that there was a strong, fundamental, and mutual distrust, which in itself was enough to explain most of the friction that arose on account of this question of jurisdiction. It is equally plain that the enforcement by China of a system of responsibility outgrown by Europe could not be tolerated, and lastly it was evident that the legal *practice* of China, whatever her theory might be, was not of a nature to compel respect. These, then, were amongst the basic facts which made extraterritoriality an urgent necessity when foreign communities larger than that of Canton, and existing under freer conditions, were expected in China. . . .

The grounds for extraterritoriality

In summarising as succinctly as possible the various grounds for extraterritoriality, we must evidently begin with those fundamental traits in human nature which in primitive times made "stranger" and "enemy" synonymous. Nobody could be expected of his own free will and accord to submit

himself to the tender mercies of those who were desirous of his undoing. Did the Chinese, it may be asked, so submit themselves to the Independent Lolos or Miaotsz? There was, besides, a special reason why foreigners were suspicious of Chinese power. It claimed world supremacy. Product, as it was, of an evolution differing widely in some respects from that of the west, it was yet determined to enforce its own conceptions of right on all who came within its reach. Moreover, for a foreigner unacquainted with Chinese manners, customs, and etiquette, it was fatally easy to give serious cause of offence, and, quite unintentionally, to be guilty of practices criminal in the East though harmless in the West. In face of these conflicting conditions, it may well be argued that the decision to keep such immiscible jurisdictions apart for awhile was not merely advisable but indubitably wise.

Had Chinese law been as well known in 1840 as it is today, Western jurists would have been ready to acknowledge its many excellencies, and Western laymen could not have denied that—on paper—China could show to the wide world such a code as it would—at the time—have been impossible to decry as inferior to their own. As has been shown, there were portions of it which we had outgrown, especially those parts dealing, first, with the responsibility of innocent persons for the criminal acts of the guilty, then with that admixture of religion and sedition for which Manchu China was always on the look-out, and last, but by no means least, where a mercantile community was concerned, with that still-existing lack of civil and commercial law which characterises the Chinese code.

Lack of civil and commercial law

All these things, however, might have been overcome had China's legal practice been equal to her theory. . . . When, therefore, it is remembered that in 1840 all Chinese judges were amateurs coming haphazard from the ranks of the successful literati, it will be admitted that the most honest of them were yet capable of committing the most egregious errors. China had no Inns of Court. She knew no Bar, and what was, perhaps, worst of all, her most able, conscientious, and spotless judges were still at the mercy of subordinates ill-paid, steeped in evil traditions, and thus open to every form of corruption which Chinese ingenuity had devised. All that is necessary to learn what this means is to glance at that section of a book of Chinese proverbs which refers to court practices.

A further difficulty from a Western point of view lay in the fact that between Chinese and Western ideas of evidence there is a great gulf fixed. . . . Chinese jurists may have the best of reasons for distrusting Chinese witnesses. At any rate we know that their evidence was not infrequently held

to be dangerously misleading, and so was scrutinised rather than weighed, being accepted or set aside according to circumstances. Thus it was that torture was resorted to, a practice which the West had outgrown and could not recall. The "boot" and the "finger compressor" were the two legal means in China of arriving at the "truth", but the courts never seem to have considered themselves bound by what was merely legal. . . . Punishment ran its course from a bamboo ing to *ling chih*, the slicing process. It was impossible for the West to abandon even its worst criminals to such procedure.

Use of torture

Extra-legal crimes

But there were yet other difficulties. Offences in the West are carefully and formally inscribed in law books and statutes, and nothing is a crime which is omitted therefrom. But this was not so in China until quite recently. The Canton officials found no difficulty in making it a capital offence for a native to teach Chinese to a foreigner, a "crime" never before heard of. There was no security, therefore, against extra-legal action of the most serious kind. Nor was this the worst of the faults to be found in Chinese practice. It was notoriously corrupt. We need not dwell on this phase—the most fatal—of native legal procedure. Had China's proverbial lore not condemned it in the most stinging and satirical terms, her revolutionary writers of the 20th century would have saved us the trouble of condemning at length this unpardonable practice. We pass on, therefore, to our last proof that extraterritoriality was not a matter that could be discussed or negotiated. We refer to the Chinese prisons.

The relation of extraterritoriality to sovereignty is a problem that has caused considerable discussion in twentieth-century China. It is accordingly of interest to see what a present-day legal writer has to say on the subject.

30. Extraterritoriality and sovereignty

In its historical beginnings the grant of extraterritorial jurisdiction was not considered a disparagement to the sovereignty of the state that granted it. The conception of sovereignty as territorial is relatively modern, and extraterritoriality is a surviving form of the earlier prevailing conception that it was the duty of a sovereign to protect those who swore their personal allegiance to him. This principle of personal or national allegiance continued to operate much longer in oriental states than it did in the states of western Europe. It was usually by rendering military service or by the payment of tribute that various divisions of the oriental nation rec-

ognized the sovereignty of the central power, and the territorial borders of an oriental state extended as widely as its rulers could compel the giving of tribute or of military service. In this way the rulers in the Levant thought of the European traders as sufficiently acknowledging their sovereignty when they paid the taxes at the seaport. So also in China and Japan, the Europeans, when they had paid taxes on their trade, were regarded as having given satisfactory recognition of the sovereigns of those countries. In the early years of western intercourse with countries of the Far East there was less pride on the part of oriental sovereigns in preserving their territorial jurisdiction. China, indeed, appears to have desired to retain territorial jurisdiction, Japan to have yielded for the sake of convenience and to avoid entanglement with foreign powers. There existed in Turkey before the middle of the nineteenth century, no thought of extraterritoriality as a disparagement to the sovereignty of the Sultans, and in 1875 Turkey made a consular convention with Persia in which extraterritoriality in its fullest form was mutually granted.

## SUPPLEMENTARY READINGS

See references to the preceding chapter, also: Wm. C. Hunter, *The 'Fan Kwae' at Canton* (issued first in 1882, and at Shanghai, 1911); *Ibid.*, *Bits of Old China* (issued first in 1885, and at Shanghai, 1911); W. D. Bernard, *Voyages and Services of the Nemesis* (London, 1844), 2 vols.; G. W. Cooke, *China and Lower Bengal* (London, 1861); *Chinese Repository* (A monthly magazine published, for the most part at Canton, between the years 1832–1851. An invaluable source of information for its period. For the above chapter see especially Vol. III); T. R. Jernigan, *China in Law and Commerce* (New York, 1905); C. Lanning and S. Couling, *The History of Shanghai* (Shanghai, 1921), Vol. I; J. D. Ball, *Macao: The Holy City* (Canton, 1905); C. T. Downing, *The Fan-Qui in China in 1836–37* (London, 1838); H. B. Morse, *International Relations*, Vol. I, Chap. IV.

# CHAPTER III

## CAUSES OF THE FIRST ANGLO-CHINESE WAR—THE NAPIER AFFAIR

### *Section 9. The Assertion of Equality*

When the English government finally abolished the monopoly of the East India Company in 1833–1834 it was necessary to appoint a Superintendent of Trade to succeed the President of the Company's select committee who had previously been held responsible by the Chinese. The Chinese had not looked with favor on the change, but since they were powerless to avert it they, in January, 1831, ordered the co-hong merchants to inform the English that it was incumbent on them to appoint a chief "to come to Canton for the general management of commercial dealings." The powers of such an official, and the attitude of the Chinese toward him were of great importance. A royal commission appointing Lord Napier to be Chief Superintendent was issued on December 10, 1833.

31. Lord Napier's commission as chief superintendent of British trade at Canton

WILLIAM R.

William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the faith, King of Hanover, &c. To our Right trusty and well beloved William John, Lord Napier, and to our trusty and well beloved William Henry Chicheley Plowden and John Francis Davis, Esquires, Greeting: Whereas by a certain act of Parliament made and passed in the third and fourth year of our Reign, intituled "an act to regulate the trade to China and India," it is amongst other things enacted that it shall and may be lawful for us by any commission or commissions, warrant or warrants, under our Royal Sign Manual, to appoint not exceeding three of our subjects to be superintendents of the trade of our subjects to and from the said Dominions for

the purpose of protecting and promoting such trade; and by any such commission or warrant, as aforesaid, to settle such gradations and subordination among the said superintendents, (one of whom shall be styled the chief superintendent,) and to appoint such officers to assist them in the execution of their duties, and to grant salaries to such superintendents and officers as We shall, from time to time, deem expedient; now we reposing especial confidence in the loyalty, integrity and skill of you the said William John Lord Napier, William Henry Chicheley Plowden, and John Francis Davis, do by these presents, in pursuance and exercise of the authority in Us vested by the said act of Parliament, appoint you, the said William John Lord Napier, William Henry Chicheley Plowden and John Francis Davis to be superintendents of the trade of our subjects, to and from the Dominions of the emperor of China, for the purpose of protecting and promoting such trade. And we do hereby constitute and appoint you the said William John, Lord Napier, to be the chief superintendent, and you the said William Henry Chicheley Plowden, to be the second superintendent, and you the said John Francis Davis to be the third superintendent for the purposes as aforesaid.

In both general and particular instructions issued on December 31, 1833, and on January 25, 1834, respectively, to Lord Napier and his colleagues, the spirit of conciliation is very noticeable. No menacing language, no appeal for military or naval aid (unless absolutely necessary), no breaking of Chinese customs that might serve to irritate the people, were to be used. The keynote is Moderation. The following selection from the particular instructions issued by the Foreign Secretary, Lord Palmerston, to Lord Napier shows clearly the attitude of the home Government.

32. Lord Palmerston's instructions to Lord Napier

"Your lordship will announce your arrival at Canton by letter to the Viceroy. In addition to the duty of protecting and fostering the trade of His Majesty's subjects with the port of Canton, it will be one of your principal objects to ascertain whether it may not be practicable to extend that trade to other parts of the Chinese dominions. And for this end you will omit no favourable opportunity of encouraging any disposition which you may discover in the Chinese authorities to enter into commercial relations with His Majesty's

Government. It is obvious, with a view to the attainment of this object, the establishment of direct communications with the imperial court at Peking would be desirable; and you will accordingly direct your attention to discover the best means of preparing the way for such communications; bearing constantly in mind, however, that peculiar caution and circumspection will be indispensable on this point, lest you should awaken the fears or offend the prejudices, of the Chinese Government; and thus put to hazard even the existing opportunities of intercourse, by a precipitate attempt to extend them. In conformity with this caution, you will abstain from entering into any new relations or negotiations with the Chinese, except under very urgent and unforeseen circumstances. But if any opportunity for such negotiations should appear to you to present itself, you will lose no time in reporting the circumstance to His Majesty's Government and in asking for instructions; but, previously to the receipt of such instruction, you will adopt no proceedings but such as may have a general tendency to convince the Chinese authorities of the sincere desire of the King to cultivate the most friendly relations with the Emperor of China, and to join with him in any measures likely to promote the happiness of their respective subjects."

The comments on and interpretation of the meaning of Lord Palmerston's instructions to Lord Napier of an exceptionally careful historical student and writer, Mr. Hosea Ballou Morse, are worthy of careful consideration. Mr. Morse writes three quarters of a century later in the light of modern developments.

33. A modern comment on these instructions

The chief superintendent was instructed that every effort was to be made to conform to all Chinese regulations and to consider all Chinese prejudices, and at the same time was forbidden to call in the aid of the armed forces of the crown; and yet he was required to adopt a course which would convert him from a mere superintendent of trade—a taipan, as the Chinese would consider it—into a royal envoy, and would break every Chinese regulation and offend every Chinese prejudice. The British Foreign Office should have had before it the history of the embassies of the seventeenth and eighteenth centuries, and must have had fresh in mind the results of the Amherst embassy, so ignominious at Peking and so disastrous at Canton; and its only excuse is that Canton was far away, and the conditions prevailing there could only be learned through the court of directors of the East

India Company. The policy of the directors was to demand dividends, but to frown on coercion, to demand that trade should continue without interruption but to insist on a policy of conciliation and moderation; and this policy, translated into the instructions given to Lord Napier, made a conflict inevitable.

The same writer has summarized the Chinese forms of official communication. In considering the rebuff of Lord Napier at Canton, it must be remembered that the whole question was one of the equality of foreign nations with China. England was not attempting to arrogate to herself a special position, nor was she trying to demonstrate Western "superiority." She was trying, by peaceable measures, to prevail on China to recognize the principle of legal equality of nations. The means by which this question came to a head was the form of correspondence to be used and the channel of communication for this correspondence between Chinese and English officials.

34. Chinese forms of official communication

. . . Omitting minor differences, the principal forms of communication in the punctilious Chinese world may be summarised as follows:

1°. Tsou, a memorial to the throne from certain ranks of officials entitled to memorialise.

2°. Shang-yü, Imperial edict, order emanating from the throne.

3°. Yü-chih (Yü of 2°) or Pi-yü (pi of 10°, yü of 2°), Imperial rescript, the answer to a memorial or the instruction given thereon.

4°. Tze-wen, communication between officials of equal rank: those exchanged between the old Tsungli Yamen and new Waiwu Pu on the one hand, and viceroys and governors on the other, are in this form.

5°. Chao-hwei, declared by the treaty of Nanking, 1842, to be the correct form of correspondence between Chinese and British high officials of equal rank; actually the form for communications between military and civil officials of equal standing (Giles, "Dictionary," s. v. 474). In China, the military, even if of equal standing, are of lower consideration.

6°. Cha-hing, a "declaration", the form of despatch from a superior to an official of lower standing.

7°. Shen-cheng, a "report" or "representation", the form of despatch from an official of some standing to one of higher authority.

8°. Shen-chen, a "statement", the form prescribed by the treaty of Nanking, 1842, for despatches from consuls to the high officers of state; for over thirty years past, however, consuls have used the form of chaohwei (5°) in addressing viceroys and others of high rank.

9°. Ping (Cantonese Pin) in various combinations, "petition", the form of an official communication to a superior when the difference in rank is marked; also of a communication from any person not holding fixed official rank to any person in an official position.

10°. Pi (as in 3°), the minute or decision endorsed on a petition (9°), which is then returned to the petitioner, either the original on red paper, or a copy on white paper.

11°. Yü (as in 2° and 3°), an "order" given to an unofficial person, or to an official of too low standing to receive a cha-tze (or cha-hing, 6°); also a "proclamation" (also called Kao-shih) addressed to the people at large.

12°. Sin (Pekingese Hsin), a letter, unsealed and unsigned, certified by the visiting-card enclosed; beginning "I beg to state" if addressed to an equal or inferior, and "I respectfully state" if addressed to a superior.

Lord Napier landed in Macao on July 15, 1834, and ten days later reached Canton, having proceeded in, what seemed to the Chinese, great and undue haste without applying for permission to enter the Factories of Canton. On his arrival, he immediately wrote a *letter* to the viceroy—in itself an assumption of equality with that official. Lord Napier had been ordered not to send his communications through the hong merchants but to send them by an official. This he attempted to do, but no official would bear the letter nor would the viceroy consent to receive it. The attempts and the refusal took place on July 26–27. The letter was never read by any Chinese official.

**35. Lord Napier's letter to the viceroy**

"In pursuance of orders from my most gracious sovereign, William IV, King of Great Britain and Ireland, I have the honour of notifying to your excellency my arrival at the city of Canton, bearing a royal commission constituting and

appointing me Chief Superintendent of British Trade to the dominions of his imperial majesty the Emperor of China. By this commission are associated with me John Francis Davis, esq.; and Sir George Best Robinson, bart., late of the honourable East India Company's factory at this place. The object of the said royal commission is to empower us, his majesty's superintendents, to protect and promote British trade, which from the boundless extent of his Majesty's dominions, will bear the traffic of the four quarters of the world to the shores of the Emperor of China,—the exclusive privileges and trade hitherto enjoyed by the honourable East India Company of merchants having ceased and determined, by the will and power of his majesty the king and the parliament of Great Britain. I have also the honour of acquainting your excellency that his majesty, my most gracious sovereign, has been pleased to invest me with powers, political and judicial, to be exercised according to circumstances.

"At present I will only further request that your excellency will grant me, with my colleagues, the honour of a personal interview, when it will be my duty to explain more fully to your excellency the nature of the changes which have taken place, and upon which our present duties and instruction have been founded. Allow me to convey, through your excellency, to his imperial majesty, the high consideration of his majesty the king, my master; and with the utmost respect for your excellency, allow me to subscribe myself your excellency's very faithful and obedient servant.

(Signed) "NAPIER (Chief Superintendent)."

### *Section 10. Chinese Attitude Toward the Assertion of Equality*

The news of Lord Napier's arrival at Macao was soon received by the viceroy. It was not unexpected, but it was not pleasing news. The viceroy lost no time in formulating his orders to the hong merchants, who were responsible for all dealings of a commercial nature with the foreigners. Howqua and Mowqua, the senior hong merchants, went to Macao to transmit the viceroy's orders to the new superintendent but found that he had already left for Canton. Thus Lord Napier failed to receive the viceroy's orders,—it is doubtful whether he

would have acted on them had he received them,—and the viceroy's attempt to gain time was frustrated.

36. Viceroy Loo's orders to hong merchants on hearing of Lord Napier's arrival at Macao

*Loo, governor of Kwangtung, &c. &c. to the hong merchants:—*

. . . I have examined and find, that hitherto, outside barbarians trading to Canton have only had *taepans*, (chief supercargoes,) buying and selling goods. They have been permitted to request permits, and then come to Canton. But ordinarily they have only had permission to reside at Macao. The English have traded at Canton upwards of a hundred years, and with regard to all the regulations, there has long been mutual tranquillity. The said hong merchants before reported, that this year the English company is dissolved. The barbarian *eye** who has now come is of course for the superintendence and examination of this business. And the barbarian *eye* is not on a par with the taepans. If he wishes to come to Canton, it will be necessary to make first a clear report, requesting the imperial will on the subject. As to the commercial affairs, if there be circumstances absolutely requiring the establishment of other regulations, a petition of requests, after inquiry and deliberation on the part of the hong merchants, must also be sent by them, that a memorial may be prepared, and obedience called for.

Uniting these circumstances, this order is issued. When the order is received by the said merchants, let them immediately go in person to Macao, and ascertain clearly from the barbarian *eye*, for what he has come to Canton province. . . . If he wishes to come to Canton, he must inform the said merchants, that they may previously petition me, the governor, and I will by post-conveyance send a memorial, and all must respectfully wait till the mandate of the great emperor has been received. Then orders will be issued to require obedience. Oppose not! A special order.

Taoukwang, 14th year, 6th moon, 15th day. [July 21st, 1834.]

Six days later than the above, and on the second day after Lord Napier's arrival at Canton the viceroy issued an edict censuring the superintendent for his failure to comply with custom, and refusing to receive a *letter* from the barbarian *eye*, or headman. The viceroy's motive

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* *Eye* is a literal translation of the Chinese *Mu*. It is a term neither of dignity nor of contempt. It should be translated "*Headman*." [Ed. note.]

seems to have been to force Lord Napier to leave Canton, expecting thereby that matters would revert to the condition before the monopoly of the East India Company was broken.

37. Loo's censure of Napier

*Loo, governor, &c. &c., to the hong merchants.*

The outside barbarians of the English nation have had a continued trade at Canton for a hundred and some tens of years. All affairs are conducted according to the established regulations reported to the emperor, which have long been obeyed and kept. Although the barbarians are beyond the bounds of civilization, yet having come to Canton to trade, they should immediately give implicit obedience to the established laws of the celestial empire. Then they may enjoy tranquillity. New come barbarians, not understanding the dignity of the statutes, you, with the linguists, compradors, &c., should instruct clearly and authoritatively in all things, to prevent their overstepping or opposing. . . .

On this occasion, the barbarian *eye, lut Laepe* (i. e. the headman, lord Napier,) has come to Canton, without having at all resided at Macao, to wait for orders. Nor has he requested or received a permit from the superintendent of customs; but has hastily come up to Canton.—A great infringement of the established laws! . . .

The great ministers of the celestial empire, are not permitted to have private intercourse by letters with outside barbarians. If the said barbarian eye *throws in* private letters, I, the governor, will not at all receive or look at them. With regard to the barbarian factory of the company, without the walls of the city, it is a place of temporary residence for barbarians coming to Canton to trade. They are permitted only to eat, sleep, buy, and sell in the factories. They are not permitted to go out to ramble about. All these are points decided by fixed and certain laws and statutes; which will not bear to be confusedly transgressed.

To sum up the whole matter; the nation has its laws; it is so everywhere. Even England has its laws. How much more the celestial empire! How flaming bright are its great laws and ordinances. More terrible than the awful thunderbolt! Under this whole bright heaven, none dares to disobey them. Under its shelter are the four seas. Subject to its soothing care are ten thousand kingdoms. The said barbarian *eye*, having come over a sea of several myriads of miles in extent to examine and have superintendence of affairs, must be a man thoroughly acquainted with the prin-

ciples of high dignity. And in his person he sustains the duties of an officer—an *eye*. Then only can he control and restrain the barbarian merchants.

I, the governor, looking up, will embody the extreme wish of the *great emperor* to cherish with tenderness the men from a distance. And assuredly I will not treat slightingly the outside barbarians. But the national laws are extremely strict and close-drawn; we dare not in the least transgress. Let the said barbarian *eye* be very careful not to listen to the artful instigations of evil men, enticing him until he fails of the object of the said nation's king in sending him so far. . . .

Taoukwang, 14th year, 6th moon, 21st day. [July 27th, 1834.]

Matters remained at an impasse until the middle of August, when, on the sixteenth of that month, the hong merchants, in order to protect themselves in their extremely difficult position, being held responsible for, but unable to control, the actions of Lord Napier and the British merchants, ordered that trade with the English should cease. Two days later the viceroy, affecting ignorance of their action, reviewed the state of affairs, expressing sympathy and compassion for the merchants who were suffering for the stupidity of their superintendent. Equality between barbarians and Chinese was not to be thought of.

**38. Loo, governor, etc., in reply to the hong merchants**

. . . It is an old saying "When you enter the frontiers, inquire respecting the prohibitions; when you enter a country, inquire into its customs." The said barbarian eye, having been sent by the said nation's king from a great distance is undoubtedly a man who understands things; but his having precipitately come to the provincial city, without having made a full report of the circumstances and causes of coming hither, was indeed a want of decorum. . . .

**Loo expresses sympathy for British merchants**

To refer to England:—should an official personage from a foreign country proceed to the said nation for the arrangement of any business, how could he neglect to have the object of his coming announced in a memorial to the said nation's king, or how could he act contrary to the requirements of the said nation's dignity, doing his own will and pleasure! Since the said barbarian eye states that he is an official personage, he ought to be more thoroughly acquainted with these

principles. Before, when he offered a letter, I, the governor, saw it inexpedient to receive it, because the established laws of the celestial empire do not permit ministers and those under authority to have private intercourse by letter with outside barbarians; but have hitherto, in commercial affairs, held the merchants responsible; and if, perchance, any barbarian merchant should have any petition to make . . . a duly prepared petition should be in form presented, and an answer by proclamation awaited. There has never been such a thing as outside barbarians sending in a letter. . . . Never has there been such a thing as official correspondence to and fro with a barbarian eye. And of those trading at Canton there is not the English nation only; nor have the English barbarian merchants been at Canton one or two years only. Yet all have been tranquil and quiet, obeying the laws. There has been no occasion for officers to examine into and manage business; on the contrary, they would but embarrass and impede the merchants. This request to have official correspondence to and fro is not only contrary to everything of dignity and decorum, but also would prove very inexpedient for the barbarian merchants of all nations. The thing is most decidedly impossible.

The said merchants, because the said barbarian eye will not adhere to the old regulations, have requested that a stop should be put to the said nation's commerce. . . . It would be most right immediately to put a stop to buying and selling. But considering that the said nation's king has hitherto been in the highest degree reverently obedient, he cannot in sending lord Napier here at this time have desired him thus obstinately to resist. The some hundreds of thousands of commercial duties yearly coming from the said country, concern not the celestial empire the extent of a hair or a feather's down. The possession or absence of them is utterly unworthy of one careful thought. Their broadcloths and camlets are still more unimportant, and of no regard. But the tea, the rhubarb, the raw silk of the inner dominions are the sources by which the said nation's people live and maintain life. For the fault of one man, lord Napier, must the livelihood of the whole nation be precipitately cut off? . . . I again give temporary indulgence and delay. . . . If the old established regulations be not in accordance with reason, how could all the barbarian merchants yield to them the willing submission of their hearts, and obediently keep them? . . . How can I be willing to treat tyrannically the requests of men from far! But what concerns the national dignity will not admit of being transgressed or passed over. . . . (August 18th, 1834.)

### *Section 11. Conclusion of the Episode*

A few days after the above document was issued, three Chinese officers called at the British factory, by order of the governor to "investigate and give verbal orders" to Lord Napier. Shortly after and in response to this visitation Lord Napier issued the following:

**39. Lord Napier's review of conditions at Canton**

*Interesting to the Chinese merchants. Present state of relations between China and Great Britain. A true and official document.*

On the 16th of January, 1831, the viceroy Le, in consequence of advice from the hong merchants, issued an edict requiring the chief of the factory to write home, stating that in case of the dissolution of the East India company, it was incumbent on the British government to appoint a chief to come to Canton for the general management of commercial dealings, and to prevent affairs from going to confusion; whereupon, at the dissolution of the company, the king of Great Britain, in accordance with the wishes of the viceroy, appointed lord Napier, a member of his own household, an hereditary nobleman, and captain in his royal navy, to come to Canton for the above most laudable purpose, and report himself by letter to the viceroy accordingly. Lord Napier arrived at Canton on the 25th of July, and next day forwarded his letter to the city gates, which was offered to the mandarins for the purpose of being delivered, and refused by the whole of them. It is false, to say that the British officer who carried the letter desired to force his way within the precincts of the palace. The hong merchants, it is true, desired to take it, but it was quite derogatory to the dignity of the representative of the king to communicate through the merchants. The viceroy now complains that he knows not for what reason lord Napier has come, at the same time forgetting the edict of his predecessor, which brought him here, as well as his own obstinacy in refusing to receive the letter of a man of equal rank with himself. His excellency then publishes edicts requiring lord Napier to retire to Macao, and on the 18th of Aug. publishes another edict in which he states that the hong merchants have requested the trade to be stopped, but in commiseration says he, "I again give temporary indulgence and delay,"—knowing at the same time that the trade had been actually stopped by the hong merchants two days before. The viceroy then sends the Kwangchow foo, the Kwangchow hee, and the Chauchow foo, to require

of lord Napier the object of his visit, the nature of his duties, and the time of his return to Macao. Lord Napier replies to the first, by a reference to the edict of January, 1831; to the second by a reference to his letter to the viceroy, which contains all the intelligence, and which they refuse to open or convey; and to the third, that his return to Macao depends entirely on his private convenience. The ignorance and obstinacy of the viceroy has thus allowed the hong merchants to put a stop to the trade, when he himself only threatens to do so. He sends his mandarins, and they return as empty as they came, when the official document was offered for their conveyance; and the consequence is, that thousands of industrious Chinese who live by the European trade, must suffer ruin and discomfort through the perversity of their government. The merchants of Great Britain wish to trade with all China on principles of mutual benefit; they will never relax in their exertions till they gain a point of equal importance to both countries, and the viceroy will find it as easy to stop the current of the Canton river, as to carry into effect the insane determinations of the hong.

[Signed] NAPIER,
Canton, August 25th, 1834. Chief Superintendent.

On September 2, Governor Loo, and Ke, Fooyuen or lieutenant-governor, of the province, answered Napier's manifesto by a proclamation putting a stop to trade with the English and ordering the holds of their ships to be closed, because the "English nation" had been "disobeying the laws and statutes." Parts of this proclamation are given here.

40. The viceroy's review of the Napier affair

In the sixth moon of the present year, an English barbarian, lord Napier, who asserts that he is a barbarian *eye* (or head man) and has come to Canton to inquire into and direct the affairs of trade, suddenly came up to reside in the barbarian factories outside the city. . . . But lord Napier, in coming to Canton, is wholly without an official communication from the said nation's king: whether he be a merchant or an officer cannot be known. Heretofore, when, in the affairs of foreign commerce, officers have had to investigate any matter, they have ordered the hong merchants to enjoin their commands. And when the barbarian merchants have had to petition on any subject, they have

petitioned through the medium of the hong merchants. Even though lord Napier be really a barbarian eye [or head man], how can he have intercourse by letter with the commissioned officers of the celestial empire! It would be greatly detrimental to the dignity [of government].

Quarrel over the form of correspondence

I at that time commanded the Kwangchow hee to make it known authoritatively that he was not permitted to report respecting, or to present (letters). . . . After this, Howqua and the others stated, that the said barbarian eye, lord Napier, would not obey the orders enjoined by them, and wished to have official correspondence with the officers of China; that he did not keep the laws, and they therefore requested that a stop should be put to the said nation's trade. . . . I replied (to the hong merchants), commanding them to give indulgence and temporary delay. . . . The affair concerned those out of (the bounds of) civilization, whose minds, without perfect clearness and entire sincerity, could not be broken down and brought into subjection. I accordingly sent the Kwangchow foo and hee, with a deputed officer to proceed to the barbarian factories, to investigate and give verbal orders; thus to admit of a personal petition and statement being made, and so prevent there being any thought cherished, but not spoken out. . . .

Having examined we find, that in the intercourse of merchants, a mutual willingness is necessary on both sides. There can be no overruling control exercised by officers. How can the officers of the celestial empire hold official correspondence with barbarians! In the important territory of the provincial metropolis, how can an outside barbarian official eye be suffered to dwell, transacting business, and extravagantly honoring and magnifying himself. To the mercantile guests it is attended with many real objections. With regard to territory it would also have its consequences. All these are things which cannot be allowed to be brought into operation.

Lord Napier's indecent haste

Moreover, lord Napier, without having made petition for the purpose of asking that a clean memorial should be drawn out to request information of the imperial will, did suddenly rush up hither thrusting forth his own opinion. From time to time orders were enjoined on him. Of myself, I, the governor, may say, that I have lowered myself to regard the barbarian disposition; but the said barbarian eye has listened to what has been told him as if he were entangled in a net. He is indeed stupid, blinded, and ignorant. It is impossible to make him comprehend reason. If such a misled, extravagant man be at Canton in control of the trade, the mercantile people also will hereafter be unable to enjoy mutual quiet. It is evidently becoming that the ships' holds should, according

to law, be closed . . . all buying and selling on the part of the English nation (shall) be wholly stopped. . . . In this the said barbarian eye, lord Napier, has cut himself off from the celestial empire. It is not at all what we, the governor and lieutenant-governor have liked to do.

The barbarian merchants of all other nations are still permitted to trade as usual. They need have no suspicion or anxiety. Let all with trembling awe obey. Oppose not. A special proclamation.

Taoukwang, 14th year, 9th moon, 29th day. [September 2d, 1834.]

Early in September, Lord Napier's health began to fail, due apparently to the conditions that surrounded him in Canton. Notwithstanding the condition of his health, he continued with the struggle to obtain a footing of official equality. The strain was too great; on the ninth of September he suffered an attack of malarial fever. On the twenty-first he embarked for Macao, which place he did not reach till the twenty-sixth, after many needless delays. He died there on October 11. Trade between English and Chinese was allowed from September 29.

On September 8, Lord Napier's observations on Governor Loo's edict of September 2 were addressed to William S. Boyd, secretary to the British Chamber of Commerce. The first matter discussed was Loo's statement that "ministers have no intercourse with outside barbarians," and the statement, "it cannot be known whether lord Napier is a merchant or an officer." Examples are cited from the time of Captain Weddell in 1637 down to 1871. "So far, therefore, the allegation of the said Loo and Ke is not founded on fact." It must be noted, however, that no communication with Chinese officials had been carried on by *letter*, and this was the crux of the whole affair. Lord Napier continues:

41. Lord Napier's observations of Loo's review

Again, that they know not whether lord Napier is an officer or a merchant, is equally false; for the Kwangchow foo, the Chaouchow foo, and Kwangchow hee waited on lord

Napier, when they saw him in the uniform of a captain in the British navy; and when they might have assured themselves of that fact, as well as of all others connected with his mission to China, had they carried his letter to the viceroy, or had his excellency given him the same reception as had been usually accorded to others. . . .

And whereas, they are already aware that there are two frigates now in the river, bearing very heavy guns, for the express purpose of protecting the British trade, I would warn the hong merchants, again and again, that if any disagreeable consequences shall ensue from the said edict, that they themselves with the governor and lieutenant governor are responsible for the whole. Recommend them, then, to take warning in time; they have opened the preliminaries of war; they destroy trade, and incur the loss of life on the part of the unoffending people, rather than grant to me the same courtesy which has been granted to others before me. They are all aware that the king, my master, sent me here in consequence of Howqua's advice to governor Le, and, therefore, why do they vainly contend against their own actions to the destruction of trade and the misery of thousands? But let the governor and the lieutenant-governor know this, that I will lose no time in sending this true statement to his imperial majesty, the emperor of China at Peking. . . .

And again, governor Loo has the assurance to state in the edict of the 2d instant that "the king, my master, has hitherto been reverently obedient." I must now request you to declare to them that his majesty, the king of England, is a great and powerful monarch, that he rules over an extent of territory in the four quarters of the world more comprehensive in space and infinitely more so in power than the whole empire of China; that he commands armies of bold and fierce soldiers, who have conquered wherever they went; and that he is possessed of great ships of war carrying even as many as 120 guns, which pass quietly along the seas, where no native of China has ever yet dared to show his face. Let the governor then judge if such a monarch "will be reverently obedient to any one." . . .

In conclusion, it is interesting to observe the attitude taken by the modern authority whose comments on Lord Palmerston's instructions to Lord Napier were quoted above. His summary is impartial and scholarly.

42. H. B. Morse's summary and criticism of the Napier affair

It is easy for us, in the twentieth century, to distribute the blame for the situation thus developed, but it is more

difficult to put ourselves in the place of the men of 1834, and decide what, in reason, ought to have been done. . . .

Mistake of the British government

The faults of the British government are obvious. They had received, in 1831, the injunction, or request, to appoint a chief to "come to Canton for the general management of the commercial dealings." This the government had interpreted into "the desire of that government that effectual provision should be made for the good order of all his Majesty's subjects resorting to China, and for the maintenance of peace and due subordination amongst them." In giving effect to this, they had created a court of judicature, but with special instructions that the court was not to be set up "until you have taken the whole subject into your most serious consideration." Apart from this, the British government seemed to act precisely in the spirit in which the Chinese authorities claimed that it was their intention to request them to act. They commissioned no ambassador or envoy-extraordinary to settle any differences which had arisen and to establish regulations for the conduct of trade. They appointed a body of three superintendents of British trade, of whom the chief, *primus inter pares*, was Lord Napier, and the second and third were members of the East India Company's select committee then at Canton; and this body they armed with the powers which had been in the hands of the select committee, and no others; while the special instructions given were, in effect, such as had year after year been sent by the company's directors to their agents in Canton. Two recent royal ambassadors had failed to accomplish any result, and the company had received constant reports of obstructions and restrictions imposed by the Chinese; yet the government now, apparently, expected to succeed on lines on which the company's agents had failed. They directed Lord Napier to do nothing to offend the Chinese oblivious of the evident fact that what could benefit British trade must offend the Chinese, and forbade him to take any initiative or to call in armed force; they gave him no credentials to produce to the Chinese sovereign or his officials; and they did not notify his appointment to the authorities either at Peking or at Canton, though, before he left England, Lord Napier asked that this should be done. Nor can the policy of conciliation be attributed solely to the lightheartedness which we associate with the name of Lord Palmerston, but it must be taken as the settled policy of the government, whether Whig or Tory. On February 2nd, 1835, when the Foreign Office had received Lord Napier's despatches to August 21st, by which time the issue was clearly drawn, the Duke of Wellington, Foreign Secretary, wrote drawing Lord Napier's particular attention to the two paragraphs in his instructions under the Sign Manual

directing him to be conciliatory, forbidding menacing language or an appeal to force, and enjoining on him to conform to the laws and usages of the Chinese empire; and the Duke closed with these words: "*It is not by force and violence that his Majesty intends to establish a commercial intercourse between his subjects and China, but by the other conciliatory measures so strongly inculcated in all the instructions which you have received.*"* We can see now, and the English merchants in Canton and the merchants and manufacturers in the United Kingdom could see then, that the international relations at Canton required a radical change, that this change could be effected only by a new departure, and that, under the free trade which followed on the abolition of the East India Company's monopoly, this must end in friction. The British government alone, while necessarily and rightly directing that a conciliatory policy be adopted, could not see that the only probable result was that which attended Lord Amherst's embassy in 1816, and made no provision, and allowed their representative to make no provision, for the possibility of a different result. To act thus was either an abnegation of the functions of government, or, notwithstanding the Duke of Wellington's injunction, it implied that the conduct of affairs at such a distance, and on so unknown a field, was to be left to the discretion of their selected agent.

Lord Napier's Attitude

Lord Napier assumed one thing which he was not entitled to assume. He had been commissioned Chief Superintendent of Trade; and, a nobleman, one of his Majesty's household, and a captain in the Royal Navy, he acted on the assumption that one of his condition could have been selected only as envoy of his sovereign, though this was not covered by his commission or his instructions. Apart from this, his "course was marked by great moderation, decision, and frankness." He proceeded to Canton, "and not elsewhere," as instructed, and, as instructed, attempted to communicate with the viceroy by letter—on terms of equality. Had the viceroy consented to receive this letter, Lord Napier would have been in an awkward position; he was not in a position to respond to the demand which must then have been made, that he should produce his credentials. . . . Lord Napier . . . adopted the only course possible in each of the steps he took. As early as August 14th he pointed out that negotiations, besides being forbidden by his instructions, could only lead to delay, and so would defeat their object; that the strength of the Chinese government was not proportional to its pretentions; and that the application of pressure by a very moderate force

*[Editor's italics.]

would accomplish more than diplomacy. He foreshadowed his probable return to Macao, and declared: "Whether the commission retires by force of arms, or by the injustice practised on the merchants, the viceroy has committed an outrage on the British crown which should be equally chastised. . . . *Act with firmness and spirit,** and the emperor will punish the viceroy." Later, on August 21st, he wrote: "I feel satisfied your lordship will see the *urgent necessity of negotiating with such a government, having in your hands at the same time the means of compulsion; to negotiate with them otherwise would be an idle waste of time.*"* In these words he laid down the policy which has been consistently followed by every foreign government—British, French, Russian, German, or Japanese—which has come in conflict with China from 1839 down to the present day; but for the five years down to 1839 the British government was somnolescent.

Position of the Viceroy

The Viceroy's position was quite clear. For a century or more, trade at Canton had been conducted under certain general conditions, and for half a century, since 1782, under a precisely regulated procedure. . . . Lord Napier came and showed himself ignorant of the rules of the game. He rushed off to Canton without waiting for a permit, or even for an interview with the men sent to interrogate him; he gave the viceroy no opportunity to save his face when he should be called upon to reverse established procedure; he refused to recognize in any way the Hong merchants, who had always been the channel of communication; he declined to give any intimation of the objects of his mission; worse still, he would not say whether he wished to propose any innovations or not; and, worst of all, he did not allow the viceroy time for preparation, either to resist Lord Napier's advances, or to protect himself against the enemies always on the alert amid the intrigue of an oriental government. Lord Napier committed the unpardonable offence of forcing the viceroy's hand; he must have had some deep, unfathomable scheme in coming to Canton, in refusing to petition humbly, in insisting that his letter should reach the viceroy by the hands of an official only . . . the viceroy instinctively rejected every proposal, and found safety only in strict adherence to established precedent. . . . How it would have been viewed at Peking had Lord Napier's demands been acceded to, we may judge from the penalty inflicted on the viceroy for his errors and weakness, when, in fact, he yielded nothing. When it was reported that the frigates had entered the river, an Imperial edict was issued depriving him of his rank and button, his decoration of the

* [Editor's italics.]

peacock's feather, his title of junior guardian of the heir-apparent, and his office of viceroy, but directing him to remain and perform the duties of his post without rank. . . . When he could report that the barbarian headman had been driven from Canton and the foreign ships of war expelled from the river, he had the empty title and decoration restored, but remained subjected to the other marks of humiliation. A sterner attitude was expected from him, even, than that which he had taken.

The viceroy, in his action and his words, represented exactly the Chinese standpoint. . . . The British government did not yet know its own mind. . . . But, while the government drifted, the English people, commercial and yet warlike, proud and self-restrained, found their views expressed fully in Lord Napier's despatches; and when it came to the clash of arms, it was to those despatches of five years before that they turned, to judge what they should think and how they should act.

## SUPPLEMENTARY READINGS

**See references to the preceding chapter, also:** *British Blue Books*; Correspondence relating to China; *Chinese Repository* especially III and XI; J. B. EAMES, *The English in China;* E. J. EITEL, *Europe in China*, Chaps. III, IV; D. ABEEL, *Journal of a Residence in China, and the Neighboring Countries from 1829 to 1833* (New York, 1834); H. B. MORSE, *International Relations*, Vol. I, Chap. VI.

# CHAPTER IV

## CAUSES OF THE FIRST ANGLO-CHINESE WAR—THE OPIUM QUESTION

### *Section 12. Methods of Smuggling Before Commissioner Lin's Arrival*

Opium, although not the cause of the Anglo-Chinese wars of the nineteenth century, was one of the chief contributing factors in straining the relations between the two countries. The Chinese apparently were unacquainted with opium until the latter part of the T'ang period. It was used as medicine for many years and seems to have been misused in China for smoking only since the seventeenth century. The emperor Yung-cheng in 1729 issued the first edict against the smoking of the drug. At this time the amount imported was not more than two hundred chests a year.

After 1773 the English East India Company controlled the English section of the trade. By 1790 more than five thousand chests a year were imported. In 1796 the importation of the drug was absolutely prohibited by imperial edict; the edict was renewed in 1800. Opium now became contraband and an elaborate system of smuggling developed.

Although the law forbade the importation, no pretense at enforcing the law was made. Between 1820–1830 the average import was over sixteen thousand chests.

The co-hong merchants and the East India Company ceased, however, to handle opium at Canton after the edict of 1800. The depots were removed to Macao and Whampoa, where they remained till 1821, when, on account of a quarrel between Chinese officials over the illegal levies, the trade centers became the island of Lintin, Kapsingmoon, Kapsuimoon, and Hongkong. The "Lintin period" lasted from 1821–1839. Namoa, on the Kwangtung-Fukien border, served as a depot during this period. One of the smugglers years after gave this account of the Namoa trade:

43. The "system" at Namoa, 1837

We anchored on the inside of the island of Namoa on the third day, close by two English brigs, the 'Omega' and 'Governor Findlay.' Inshore of us were riding at anchor two men-of-war junks, with much bunting displayed; one bore the flag of a 'Foo-Tseang' or Commodore. Knowing the 'formalities' to be gone through with the Mandarins, we expected a visit from one, and until it was made no Chinese boat would come alongside, nor would a junk, not even a bumboat. We had no sooner furled sails and made everything ship-shape, when 'his Excellency' approached in his 'gig,' a sort of *scow* as broad as she was long. Besides the oarsmen, there were official and personal attendants, in grass cloth with conical rattan hats and flowing red silk cord surrounding them to the brim. He himself sat majestically in an arm-chair smoking quietly. A large embroidered silk umbrella was held over his head, while servants with fans protected him from the attacks of flies and mosquitoes. He was received at the gangway by Captain Forster. His manner and bearing were easy and dignified. When cheroots and a glass of wine had been offered, the 'Commodore' enquired the cause of our anchoring at Namoa. The Shroff gave him to understand that the vessel, being on her way from Singapore to Canton, had been compelled, through contrary winds and currents, to run for Namoa to replenish her wood and water. Having listened attentively, the great man said that 'any supplies might be obtained, but when they were on board, not a moment must be lost in sailing for Whampoa, as the Great Emperor did not permit vessels from afar to visit any other port.' He then gravely pulled from his boot a long red document and handed it to his secretary, that we might be informed of its purport.

It was as follows:—

### An Imperial Edict.

As the port of Canton is the only one at which outside barbarians are allowed to trade, on no account can they be permitted to wander about to other places in the 'Middle Kingdom.' The 'Son of Heaven,' however, whose compassion is as boundless as the ocean, cannot deny to those who are in distress from want of food, through adverse seas and currents, the necessary means of continuing their voyage. When supplied they must no longer loiter, but depart at once. Respect this.

Taou-kwang, 17th year, 6th moon, 4th sun.

This 'Imperial Edict' having been replaced in its envelope and slipped inside of his boot (for service on the chance of another foreign vessel 'in distress'), his Excellency arose from his seat, which was a signal for all his attendants to return to the boat except his secretary. The two were then invited to the cabin to refresh, which being done we proceeded to business. The Mandarin opened by the direct questions, 'How many chests have you on board? Are they all for Namoa? Do you go further up the coast?' intimating at the same time that *there* the officers were uncommonly strict, and were obliged to carry out the will of the 'Emperor of the Universe' &c.; but our answers were equally as clear and prompt, that the vessel was not going north of Namoa, that her cargo consisted of about 200 chests. Then came the question of 'Cumsha,' and that was settled on the good old Chinese principle of 'all same custom.' Everything being thus comfortably arranged, wine drunk and cheroots smoked, his Excellency said, 'Kaou-tsze' ('I announce my departure'). We escorted him to the side, over which he clambered with the aid of his secretary; we saw him safely deposited under his brilliant silken canopy, and in a short time rejoin his junk.

Official aid in opium smuggling

Chinese buyers came on board freely the moment they saw the 'official' visit had been made. A day or two after, several merchant junks stood out from the mainland for the anchorage. As they approached we distinguished a private signal at their mastheads, a copy of which had been furnished to us before leaving Capshuymun. We hoisted ours, the junks anchored close to us, and in a surprisingly short time received from the 'Rose' in their own boats the opium, which had been sold at Canton, and there paid for, deliverable at this anchorage. It was a good illustration of the entire confidence existing between the foreign seller in his Factory at Canton and the Chinese buyers and of a transaction for a breach of any of the conditions of which there existed no legal redress on one side or the other. This parcel, whose value was $150,000, had been already packed in bags, marked

and numbered, at Capshuymun. The Chinaman who held the order of the Canton house for its delivery, on coming on board unfolded it from a cotton handkerchief, smoked a pipe or two and drank a cup of tea with the Shroff while it was going over the side, then took leave of us with the usual 'Good wind and good water,' or, 'May your voyage be prosperous!' The junks had anchored, mainsail to the mast, and as the last bag was received on board the anchors were at the bow and they standing to the northward.

Writing for the *Chinese Repository* in July, 1838, George Tradescant Lay, a well-known naturalist, and later to be H. B. M.'s consul at Canton, Foochow, and Amoy, successively, gives a valuable and interesting account of life in Canton, and the conditions of opium smuggling during the year before Commissioner Lin began his crusade against the importation of that drug.

**44. The "system" in Cantonese waters, 1838**

. . . Here we are treated as if we were a few poor hunger-bitten creatures, just escaped from a lazar-house, with all our sores and loathsomeness about us, and in the extremity of our distress were fain to be fed with the crumbs that fall from the celestial table. Our conduct as merchants is so unprincipled and provoking, and our converse as men so full of pollution and barbarity, that nothing but the amazing goodness of the imperial heart, touched with compassion at our forlorn condition, could bear with us a moment. No motive of policy, no regard to the advantages which the subjects of this realm derive from commerce, has any weight with him who sways the destinies of China; nothing but pure unmingled pity would suffer us to hover about the shores, or to sojourn upon a little strip of ground at the very outskirts of the empire. . . . The Chinese as private individuals seem to understand the value of fair dealing, and have oftentimes exhibited that confidence in foreigners, which is the offspring of a truly commercial spirit. Many have showed a friendly feeling, and such as did not stop at deeds of substantial kindness. But friendship and commerce are alike subject to the scourge of magisterial intervention, uncircumscribed by laws and unchecked by the reproofs of conscience or the censure of the world. The innate love of domineering, cherished by that spirit of despotism, which embues every sentiment in China, and the needy avarice of men who have pawned more than their all in the purchase of places, and who are ever liable to be drained dry by those above them, set them at work, and there is no sanctuary, no hiding place, in the land

**Criticism of local officials**

whither a poor native can flee and escape from his pursuers. . . . Opium, that entails so many mischiefs upon this country, has this one good, if not more in it, inasmuch as it shows of what stuff a mandarin is made. By proclamation the sale of this drug is forbidden, and its use condemned as fraught with the most baneful effects. This view of the subject has been ratified by the destruction of all the vessels employed in its conveyance, and by the public execution of many offenders. All this is well and highly befitting the duties of men who are by office the guardians and trustees of the general safety. Now, after taking a glance at the fair and spotless side of the picture, let us just look at the black side, that we may behold one of the greatest contrasts that was ever exhibited among the scenes of life. For these very men not only accept of secret bribes to wink at the introduction of the article, but they have taken the whole business into their own hands, and authorize it with the whole weight of their authority, so that the trade is at this moment pushed with greater vigor than at any time previous, and with so much success by foreigners, that a fortune is made in very short time and with the least possible risk. Here are the men who promulgate the law, that opium shall not be imported; here are the men who break the law, not by sufferance merely, but by doing the very deed themselves. This too is done, not in the dark, but in the broad eye of day-light; not in private vessels, but in boats belonging to the government. A few days ago at Hongkong I saw a mandarin boat pull along side a receiving ship and take in thirty thousand dollars' worth of opium, while the harbor was studded with lesser craft bearing the custom-house flag, which were said to be waiting for that and other contraband articles.

In studying the history of China, the powers of the central and provincial governments must be clearly differentiated and borne in mind at the outset. It might almost be said that in the realm of law Peking proposed but the provinces disposed. The opium trade could never have been carried on in practically open defiance of imperial edicts had not the local officials not simply permitted but encouraged the traffic. Dues were irregularly but unfailingly collected from the dealers in this illegal commodity. When there arose a dispute over the spoils then the laws were enforced—for a time.

45. Observation of editor of *Chinese Repository* on enforcement of opium laws—July 8, 1834

The Chinese laws against the use of opium, and against the cultivation of the poppy and all traffic in the drug, are it is well known, most severe and explicit. It is equally well known also that many of the dealers in the article carry on their transactions with almost as much publicity as if no prohibitions existed. This is effected by the payment of certain sums to those officers who ought to carry into strict execution the imperial laws; occasionally, however, there is a difficulty in determining the amount that shall be paid. Such a difficulty lately occurred between his excellency the governor of Canton, and two of the principal brokers Yaoukew (Yeükow) and Gowkwan (Owfoon). More money was demanded than there was a willingness to pay; accordingly the check on the law was taken off, and a detachment of soldiers, two hundred strong, made a descent on the houses of the above named individuals. They fortunately for themselves, had absconded; but their families with all their effects were carried off. Three of the inmates of one of the houses, it is reported, were drowned in attempting to escape in a boat on the river.

Four years later than the preceding, in April, 1838, an opium dealer of Macao was strangled for implication in that trade. The case is of interest in several ways. It is fairly clear that the man was not executed simply on account of his trade, but because he was reported to the authorities, who thereupon found it necessary to take notice. In other words it was not so much that he was a bad man as that he was caught that brought about his execution. The method of execution is worth noticing, as is the side light thrown on certain Chinese customs.

46. An example of the enforcement of the opium laws in 1838

A case of *Strangulation*, for keeping an opium shop, and seducing people to buy and smoke the drug, was witnessed at Macao on the 7th inst. Kwŏ Seping, aged 49 years, of Chaouchow foo in this province, came to Macao, about the tenth year of Keäking (1805), and dwelt in the village of Makŏ. He had been employed as an opium broker, and also in seething and selling the prepared opium. 'He was,' says our informant, 'unremitting in his pursuit, and had collected, as was supposed, more than a thousand dollars. His fellow townsmen, who lived in Macao, seeing him thus prospered in his dealings, were continually obtruding themselves on him as his friends, and borrowing money. And if there was only one to whom

Kwŏ did not lend all he wished, away he would go and inform the police of his occupation, and thus extort money: and this was done a great many times. Last year in August, there was a certain man belonging to Chaouchow, who was in the fooyuen's custody at Canton, that informed against Kwŏ as being engaged in the opium trade. The police runners seized and brought him to Canton, where he was examined by tor ture, till he confessed that he had clandestinely sent away sycee silver, and also carried opium on board of the foreign ships to be sent to Fuhkeen for sale. It being certified, that he had committed this villainous crime, he was retained in prison, and his case referred to Peking.'

Export of silver

On the 2nd day of the second month (February 25th) of this year the imperial will was received as follows. "I order that *Kwŏ Seping* be immediately strangled. This criminal has audaciously dared to form connections with the outside foreigners at the important passes of the sea-frontier. He opened a shop, stored it with opium, and seduced people to buy and smoke it. He has been known to be engaged in this way for five years; but the former governors and lieut.-governors have been negligent and not one of them have examined and managed this affair with a regard to truth. But Tang Tingching ordered his officers to seize strictly, and he was immediately taken. It may, therefore, be seen that when pursuit and prosecution are managed with a regard to truth, the effects are evident. I order that Tang and Ke be referred to the proper Board, for their merits to be taken into consideration; and hereafter, with reference to the offenses of buying and selling opium, and opening smoking houses, if in these instances criminals are guilty, they must be seized at all times and all places; and punished; they must not be suffered to escape out of the net: thus they will be a warning to all others. Respect this."

The "imperial will" regarding opium smugglers

From the Register we also copy a translation of the clause, containing the law touching the crime in question. The original may be found in the 14th clause of the 225th section of the penal Code, the edition published in the tenth year of Taoukwang, A. D. 1830.

"Those who deal in opium shall be punished according to the law against those who trade in prohibited goods (namely, military stores and weapons). The principal shall wear the collar one month, and be banished to the army at a frontier. The accomplices shall be punished with one hundred blows and banished for three years. He who clandestinely opens an opium smoking shop, and seduces the sons and younger brothers of free families to smoke opium, shall be punished according to the law against those who delude the multitude by depraved doctrines. The principal, when his crime is

Penal punishment for dealers in opium

proved, shall be strangled after his term of imprisonment; the accomplices shall be punished with one hundred blows, andb anished three thousand *le*. And the boat people, constables, and neighbors, shall all receive one hundred blows, and be banished from the province for three years."

An eye-witness of the execution of this law on Kwŏ Seping, gives the following particulars, which we quote from the Canton Press of the 14th inst.

Description of the execution

"While taking my usual walk this evening about five o'clock, I saw a large mob of celestials, together with some foreigners, assembled, outside the wall of this town, near St. Antonio gate, and was informed that a Chinese was about to be strangled for having been a dealer in opium. Desirous of witnessing this scene, I approached the mob, and in the course of a quarter of an hour the tsotang of Macao arrived, and with him from fifty to sixty police runners. A few minutes afterwards the yew-foo military officers of Casa Branca, the Heängshan heën, (district magistrate of Heängshan) and the keunmingfoo of Casa Branca, came in rotation, followed by the unfortunate culprit in a bamboo cage, born by two executioners, guarded by about one hundred of the imperial infantry, who were armed with boarding pikes and other formidable weapons of war. There were two matted bamboo shades built up for this occasion, the distance between them being from thirty-five to forty yards: one of these shades was furnished with chairs and tables, where the mandarins seated themselves after having exchanged the customary civilities one with another: the other was the place for the execution, and was consequently fitted in a less tasty and expensive style, containing only a slight wooden cross, about six feet in height with a hole in the upper part immediately above the horizontal cross-piece. Three guns were fired as a signal to prepare for the execution of the culprit. With his arms and legs heavily loaded with shackles of iron, he was literally shaken out of the cage, a most pitiable looking object, covered with filth, and so emaciated from an existence of about four months in a Chinese prison, as to seem more dead than alive. He was dragged to the place of execution and placed standing upon a piece of brick, touching the cross with his back. The executioners commenced by lashing a rope round his legs, under the arms, then through the hole in the upper part of the cross, after which it was passed through the loops of the cord and twisted round several times for the purpose of tightening the loop in order to effect strangulation. No apparent signal, other than the removal of the piece of brick, from under the feet, was given for the fatal turning of the stick. The expression of the man's countenance did not change, nor was he perceived to make any struggle.

Effects of Chinese prison life

The manner in which his arms and legs were shackled and tied to the cross must account for the latter circumstance. When the man had been dead for ten minutes, the mandarins departed under a salute of three guns; and shortly afterwards the executioners followed, but not until they had fully assured themselves, by examination of his eyes and mouth, that he was dead. They left him still fastened to the cross, but removed from his hands and feet the shackles with which, up to this time, they had been bound."

Thus died the unhappy Kwŏ Seping. He remained stretched on the cross till Monday evening, the 9th inst., when he was interred near the spot where he was strangled.

### *Section 13. The "Battle of the Memorials" Regarding Opium*

The first of the memorials given below was sent to the emperor in June, 1836. The ideas so boldly set forth here were officially foreshadowed as far back as 1832, but not openly advocated. That such ideas as Heu Nae-tse expresses should be placed before the emperor shows that there must have been a powerful party at court and in the provinces in favor of legalizing a trade that was quite frankly recognized as impossible to stop. After the unusually broad-minded attitude the two most notable points in the memorial are the argument on the drainage of specie and the comments on those who smoke the drug. Specie ranks first and humanity last! It is worthy of note that the editor of the *Repository** was of the opinion that legalization of opium would not result in cessation of smuggling, owing to the "rapacious spirit of the local government," and that silver would not cease to leave China.

*Memorial from Heu-Naetse to the Emperor, proposing to legalise the importation of Opium.* 47. Preamble

Heu-Naetse, Vice-President of the Sacrificial Court, presents the following memorial in regard to opium, to show that the more severe the interdicts against it are made, the more

*Chinese Repository*, Vol. V, pp. 138, 139.

widely do the evils arising therefrom spread; and that it is right urgently to request, that a change be made in the arrangements respecting it; to which end he earnestly entreats His Sacred Majesty to cast a glance hereon and to issue secret orders for a faithful investigation of the subject.

Qualities and effects of opium

I would humbly represent that opium was originally ranked among medicines; its qualities are stimulant; it also checks excessive secretions; and prevents the evil effects of noxious vapours. In the Materia Medica of Le Shechin, of the Ming dynasty, it is called Afooyung. When anyone is long habituated to inhaling it, it becomes necessary to resort to it at regular intervals, and the habit of using it, being inveterate, is destructive of time, injurious to property, and yet dear to one even as life. Of those who use it to great excess, the breath becomes feeble, the body wasted, the face sallow, the teeth black: the individuals themselves clearly see the evil effects of it, yet cannot refrain from it. It is, indeed, indispensably necessary to enact severe prohibitions in order to eradicate so vile a practice.

Different kinds of the drug

On inquiry, I find that there are three kinds of opium: one is called Company's, the outer covering of it is black, and hence it is also called 'black earth'; it comes from Bengal: a second kind is called 'white-skin,' and comes from Bombay; the third kind is called 'red-skin,' and comes from Madras. These are places which belong to England.

Law in relation to opium

In Keenlung's reign, as well as previously, opium was inserted in the tariff of Canton as a medicine, subject to a duty of three taels per hundred catties, with an additional charge of two taels, four mace, and five candareens, under the name of charge per package. After this, it was prohibited. In the first year of Keaking, those found guilty of smoking opium were subject only to the punishment of the pillory and bamboo. Now they have, in the course of time, become liable to the severest penalties, transportation in various degrees, and death after the ordinary continuance in prison. Yet the smokers of the drug have increased in number, and the practice has spread almost throughout the whole empire. In Keenlung's and the previous reigns, when opium passed through the Custom-house and paid a duty, it was given into the hands of the Hong merchants in exchange for tea and other goods. But at the present time, the prohibitions of government being most strict against it, none dare openly to exchange goods for it; all secretly purchase it with money. In the reign of Keaking, there arrived, it may be, some hundred chests annually. The number has now increased to upwards of 20,000 chests, containing each a hundred catties. The 'black earth,' which is the best, sells for about 800 dollars, foreign money, per chest; the 'white-

Nature of the trade in opium

skin,' which is next in quality, for about 600 dollars; and the last, or 'red-skin,' for about 400 dollars. The total quantity sold during the year amounts in value to ten and some odd millions of dollars; so that, in reckoning the dollar at seven mace, standard weight of silver, the annual waste of money somewhat exceeds ten millions of taels. Formerly, the barbarian merchants brought foreign money to China; which being paid in exchange for goods, was a source of pecuniary advantage to the people of all the sea-board provinces. But latterly, the barbarian merchants have clandestinely sold opium for money; which has rendered it unnecessary for them to import foreign silver. Thus foreign money has been going out of the country, while none comes into it.

During two centuries, the Government has now maintained peace, and by fostering the people, has greatly promoted the increase of wealth and opulence among them. With joy we witness the economical rule of our august Sovereign, an example to the whole empire. Right it is that the yellow gold be common as the dust.

Arguments. 1. Effects of the trade on currency

Always in times past, a tael of pure silver exchanged for nearly about 1000 coined cash, but of late years the same sum has borne the value of 1200 or 1300 cash: thus the price of silver rises but does not fall. In the salt agency, the price of salt is paid in cash, while the duties are paid in silver; now the salt merchants have all become involved, and the existing state of the salt trade in every province is abject in the extreme. How is this occasioned but by the unnoticed oozing out of silver? If the easily exhaustible stores of the central spring go to fill up the wide and fathomless gulf of the outer seas, gradually pouring themselves out from day to day, and from month to month, we shall shortly be reduced to a state of which I cannot bear to speak.

2. To cut off all the foreign trade would be wrong

It is proposed entirely to cut off the foreign trade, and thus to remove the root, to dam up the source of the evil. The Celestial Dynasty would not, indeed, hesitate to relinquish the few millions of duties arising therefrom. But all the nations of the West have had a general market open to their ships for upwards of a thousand years; while the dealers in opium are the English alone; it would be wrong, for the sake of cutting off the English trade, to cut off that of all the other nations. Besides, the hundreds of thousands of people living on the sea-coast depend wholly on trade for their livelihood, and how are they to be disposed of? Moreover, the barbarian ships, being on the high seas, can repair to any island that may be selected as an entrepôt, and the native sea-going vessels can meet them there; it is then impossible to cut off the trade. Of late years, the foreign vessels have visited all the ports of Fuhkeen, Chekeang, Keang-

nan, Shantung, even to Teentsin and Mantchouria, for the purpose of selling opium. And although at once expelled by the local authorities, yet it is reported that the quantity sold by them was not small. Thus it appears that, though the commerce of Canton should be cut off, yet it will not be possible to prevent the clandestine introduction of merchandise.

3. The illicit introduction of opium is not solely owing to negligence of officers, and cannot be prevented

It is said, the daily increase of opium is owing to the negligence of officers in enforcing the interdicts! The laws and enactments are the means which extortionate underlings and worthless vagrants employ to benefit themselves; and the more complete the laws are, the greater and more numerous are the bribes paid to the extortionate underlings, and the more subtle are the schemes of such worthless vagrants. In the first year of Taoukwang, the governor of Kwangtung and Kwangse, Yuen Yuen, proceeded with all rigour of the law against Ye Hangshoo, head of the opium establishment then at Macao. The consequence was, that foreigners having no one with whom to place their opium, proceeded to Lintin to sell it. This place is within the precincts of the Provincial government, and has a free communication by water on all sides. Here are constantly anchored seven or eight large ships, in which the opium is kept, and which are therefore called 'receiving ships.' At Canton there are brokers of the drug, who are called 'melters.' These pay the price of the drug into the hands of the resident foreigners, who give them orders for the delivery of the opium from the receiving ships. There are carrying boats plying up and down the river; and these are vulgarly called '*fast-crabs*' and '*scrambling dragons.*' They are well armed with guns and other weapons, and are manned with some scores of desperadoes, who ply their oars as if they were wings to fly with. All the Custom-houses and military posts which they pass are largely bribed. If they happen to encounter any of the armed cruizing boats, they are so audacious as to resist, and slaughter and carnage ensue. The late Governor Loo, on one occasion, having directed the Commodore Tsin Yuchang to co-operate with Teen Poo, the district magistrate of Heang-shan, they captured Leang Heennee with a boat containing opium to the amount of 14,000 catties. The number of men killed and taken prisoners amounted to several scores. He likewise inflicted the penalty of the laws on the criminals Yaoukow and Owkwan (both of them being brokers), and confiscated their property. This shows that faithfulness in the enforcement of the laws is not wanting; and yet the practice cannot be checked. The dread of the laws is not so great on the part of the common people, as is the anxious desire of gain, which incites them to all manner of crafty devices; so that sometimes, indeed, the law is rendered wholly ineffective.

4. Evil consequences of this illicit introduction

There are also, both on the rivers and at sea, banditti, who, with pretence of acting under orders of the government, and of being sent to search after and prevent the smuggling of opium, seek opportunities for plundering. When I was lately placed in the service of your Majesty, as Acting Judicial Commissioner at Canton, cases of this nature were very frequently reported. Out of these arose a still greater number of cases, in which money was extorted for the ransom of plundered property. Thus a countless number of innocent people were involved in suffering. All these wide-spread evils have arisen since the interdicts against opium were published.

5. Worthless character of opium smokers

It will be found, on examination, that the smokers of opium are idle, lazy vagrants, having no useful purpose before them, and are unworthy of regard or even of contempt. And though there are smokers to be found who have overstepped the threshold of age, yet they do not attain to the long life of other men. But new births are daily increasing the population of the empire; and there is no cause to apprehend a diminution therein; while, on the other hand, we cannot adopt too great, or too early, precautions against the annual waste which is taking place in the resources, the very substance of China.

Inference that the opium trade should be legalized

Since then, it will not answer to close our ports against (all trade), and since the laws issued against opium are quite inoperative, the only method left is to revert to the former system, to permit the barbarian merchants to import opium paying duty thereon as a medicine, and to require that, after having passed the Custom-House, it shall be delivered to the Hong merchants only in exchange for merchandise, and that no money be paid for it. The barbarians finding that the amount of dues to be paid on it, is less than what is now spent in bribes, will also gladly comply therein. Foreign money should be placed on the same footing with sycee silver, and the exportation of it should be equally prohibited. Offenders, when caught, should be punished by the entire destruction of the opium they may have, and the confiscation of the money that may be found with them. . . .

Officers, etc., not to be allowed to smoke it

It becomes my duty, then, to request that it be enacted, that any officer, scholar, or soldier, found guilty of secretly smoking opium, shall be immediately dismissed from public employ, without being made liable to any other penalty. . . . Lastly, that no regard be paid to the purchase and use of opium on the part of the people generally.

Objections answered: the dignity of the government not injured by the proposed change

Does any suggest a doubt, that to remove the existing prohibitions will derogate from the dignity of the Government? I would ask, if he is ignorant that the pleasures of the table and of the nuptial couch may also be indulged in to the injury

of health? Nor are the invigorating drugs *footsze* and *wootow* devoid of poisonous qualities: yet it has never been heard that any one of these has been interdicted. Besides, the removal of the prohibitions refers only to the vulgar and common people, those who have no official duties to perform. So long as the officers of the Government, the scholars, and the military, are not included, I see no detriment to the dignity of the Government. And by allowing the proposed importation and exchange of the drug for other commodities, more than ten millions of money will annually be prevented from flowing out of the Central land. On which side then is the gain,—on which the loss? It is evident at a glance. . . . Perchance this may be found adequate to stop further oozing out of money, and to replenish the national resources. With inexpressible awe and trembling fear, I reverently present this memorial and await your Majesty's commands.

In October, 1836, Choo-Tsun, a Manchu, President of the Board of Rites, sent in an anti-opium memorial. The Anti-Opium party shortly gained the emperor's ear, and Heu Nae-tse, the Chinese advocate of legalization, was dismissed from the public service, after having been degraded to the sixth rank. Three princes of the imperial blood were also deprived of their honors and punished for bad practices, among which opium smoking was the chief. On receipt of these memorials the emperor ordered the authorities at Canton to consider and report on the matter. No definite steps were taken, however, and the general result was evil, since the smugglers were led to believe that the trade would be legalized, and accordingly imported at a greater rate than ever. Between 1828–1835 the annual average of chests was 18,835: from 1835–1839 it was at least 30,000 chests.*

48. Preamble

*Memorial from the Councillor Choo-Tsun to the Emperor, against the admission of Opium.*

*October*, 1836.

Choo-Tsun, Member of the Council and of the Board of Rites, kneeling, presents the following memorial, wherein

* Morse, Vol. I, p. 191

he suggests the propriety of increasing the severity of certain prohibitory enactments, with a view to maintain the dignity of the laws, and to remove a great evil from among the people: to this end he respectfully states his views on the subjects, and earnestly entreats His Sacred Majesty to cast a glance thereon.

Progress of the trade in opium

I would humbly point out, that wherever an evil exists, it should be at once removed; and that the laws should never be suffered to fall into desuetude. Our Government having received from heaven the gift of peace, has transmitted it for two centuries: this has afforded opportunity for the removal of evils from among the people. . . . In regard to opium, special enactments were passed for the prohibition of its use in the first year of Keaking (1796); and since then, memorials presented at various successive periods, have given rise to additional prohibitions. . . . The laws . . . are not wanting in severity; but there are those in office who, for want of energy, fail to carry them into execution.

Possibility in preventing it

The late Governor Loo having on one occasion sent the the Commodore Tsin Yuchang to cooperate with Teen Poo, the magistrate of Heangshan, those officers seized a vessel belonging to Leang Heennee, which was carrying opium, and out of her they took 14,000 catties of the drug. . . . Hence it is apparent, that, if the great officers in charge of the provinces do in truth show an example to their civil and military subordinates, and if these do in sincerity search for the drug, and faithfully seize it when found, apprehending the most criminal, and inflicting upon them severe punishment, it is, in this case, not impossible to attain the desired end. And if the officers are indeed active and strenuous in their exertions, and make a point of inflicting punishment on offenders, will the people, however perverse and obstinate they may be, really continue fearless of the laws? No. The thing to be lamented is, instability in maintaining the laws—the vigorous execution thereof being often and suddenly exchanged for indolent laxity.

Occasional abuse of the laws, no argument against them

It has been represented, that advantage is taken of the laws against opium, by extortionate underlings and worthless vagrants, to benefit themselves. . . . When have not prostitution, gambling, treason, robbery, and such like infractions of the laws, afforded occasions for extortionate underlings and worthless vagrants to benefit themselves, and by falsehood and bribery to amass wealth? . . . But none surely would contend that the law, because in such instances rendered ineffectual, should therefore be abrogated! . . . Yet the provincials, when discussing the subject of opium, being perplexed and bewildered by it, think that a prohibition which does not *utterly* prohibit, is better than one which does not

effectually prevent, the importation of the drug. Day and night I have meditated on this, and can in truth see no wisdom in the opinion.

Impropriety of levying a duty

It is said that the opium should be admitted, subject to a duty, the importers being required to give it into the hands of the Hong merchants, in barter only for merchandize, without being allowed to sell it for money. And this is proposed as a means of preventing money secretly oozing out of the country. But the English, by whom opium is sold, have been driven out to Lintin so long since as the first year of Taoukwang (1821), when the then Governor of Kwangtung and Kwangse discovered and punished the warehousers of opium: so long have they been expelled, nor have they ever since imported it into Macao. Having once suppressed the trade and driven them away, shall we now again call upon them and invite them to return? This would be, indeed, a derogation from the true dignity of Government. As to the proposition to

Importation of opium; exportation of dollars

give tea in exchange, and entirely to prohibit the exportation of even *foreign* silver, I apprehend that, if the tea should not be found sufficient, money will still be given in exchange for the drug. Besides, if it is in our power to prevent the exportation of dollars, why not also to prevent the importation of opium? And if we can but prevent the importation of opium, the exportation of dollars will then cease of itself, and the two offences will both at once be stopped. Moreover, is it not better, by continuing the old enactments, to find even a partial remedy for the evil, than by a change of the laws to increase the importation still further? As to levying a duty on opium, the thing sounds so awkwardly, and reads so unbeseemingly, that such a duty ought surely not to be levied.

Impolicy of sanctioning the growth of the poppy

Again, it is said that the prohibitions against the planting of the poppy by the natives should be relaxed; and that the direct consequences will be daily diminution of the profits of foreigners, and in course of time, the entire cessation of the trade without the aid of prohibitions. . . . Of any of those provinces (Fuhkeen, Chekeang, Kwangtung, Shantung, Yunnan, and Kweichow), except Yunnan, I do not presume to speak; but of that portion of the country I have it in my power to say, that the poppy is cultivated all over the hills and the open campaign, and that the quantity of opium annually produced there cannot be less than several thousand chests. And yet we do not see any diminution in the quantity of silver exported, as compared with any previous period; while, on the other hand, the lack of the metal in Yunnan is double in degree what it formerly was. To what cause is this to be ascribed? To what but that the consumers of the drug are very many, and that those who are choice and

Outgoing of money not hindered thereby

dainty, with regard to its quality, prefer always the foreign article? . . .

And the cultivation of grain, etc., will be hindered by it

If all the rich and fertile ground be used for planting the poppy, and if the people, hoping for a large profit therefrom, madly engage in its cultivation, where will flax and the mulberry tree be cultivated, or wheat and rye be planted? . . . And shall the fine fields of Kwangtung, that produce their three crops every year, be given up for the cultivation of this noxious weed,—those fields in comparison with which the unequal soil of all other parts of the Empire is not even to be mentioned?

The corruption and enervation of the people are the chief objections against opium

To sum up the matter, the wide-spreading and baneful influence of opium, when regarded simply as injurious to property, is of inferior importance; but when regarded as hurtful to the people, it demands most anxious consideration: for in the *people* lies the very foundation of the empire. Property, it is true, is that on which the subsistence of the people depends. Yet a deficiency of it may be supplied, and an impoverished people improved; whereas it is beyond the power of any artificial means to save a people enervated by luxury. . . . Now the English are of the race of foreigners called Hungmaou. In introducing opium into this country, their purpose has been to weaken and enfeeble the Central Empire. If not early aroused to a sense of our danger, we shall find ourselves, ere long, on the last step towards ruin. . . .

And this is the object of its importers

Impossibility of stopping this except by utter prohibition

It is said, indeed, that when repealing the prohibitions, the people only are to be allowed to deal in and smoke the drug; and that none of the officers, the scholars, and the military, are to be allowed this liberty. But this is bad casuistry. It is equal to the popular proverb, "shut a woman's ears before you steal her ear-rings"—an absurdity. The officers, with all the scholars and the military, do not amount in number to more than one-tenth of the whole population of the empire; and the other nine-tenths are all the common people. . . . Besides, if the people be at liberty to smoke opium, how shall the officers, the scholars, and the military be prevented? What! of the officers, the scholars, and the military, are there any that are born in civil or military situations, or that are born scholars and soldiers? All certainly are raised up from the level of the common people. . . . At the present moment, throughout the empire, the minds of men are in imminent danger: the more foolish, being seduced by teachers of false doctrines, are sunk in vain superstitions and cannot be aroused; and the more intelligent, being intoxicated by opium, are carried away as by a whirlpool, and are beyond recovery. . . . But the proposal to alter the law on this subject having been made and discussed in the provinces, the instant effect has been, that crafty thieves and villains

Morals among the people at lowest ebb

have on all hands begun to raise their heads and open their eyes, gazing about, and pointing the finger, under the notion that, when once these prohibitions are repealed, thenceforth and for ever they may regard themselves free from every restraint, and from every cause of fear. . . .

Conclusion Measures recommended

I feel it my duty to request that your Majesty's commands may be proclaimed to the Governors and Lieutenant-Governors of all the provinces, requiring them to direct the local officers to redouble their efforts for the enforcement of the existing prohibition (against opium); and to impress on every one, in the plainest and strictest manner, that all who are already contaminated by the vile habit must become and return new men,—that if any continue to walk in their former courses, strangers to repentance and to reformation, they shall assuredly be subjected to the full penalty of the law, and shall not meet with the least indulgence,—and that on any found guilty of storing up or selling opium to the amount of 1,000 catties or upwards, the most severe punishment shall be inflicted. Thus happily the minds of men may be impressed with fear, and the report thereof, spreading over the seas (among foreigners), may even there produce reformation. Submitting to my Sovereign my feeble and obscure views, I prostrate implore your sacred Majesty to cast a glance on this my respectful memorial.

The following comments by an English writer, a contemporary, give an idea of the cross currents at play in the opium question, and help to explain the attitude of the emperor Taou Kwang who, a little later, sent Commissioner Lin to end the traffic in the troublesome drug once for all.

49. Comments on the anti-opium memorials

. . . In short, the whole of the memorialists on the *anti-importation* side argued to the effect that increased severity *could* stop the use of opium, and therefore that it *ought* to be stopped, because it tended to enervate the people, and make them an easy prey to the foreigner, while the quantity of silver exported enriched the latter in proportion as it impoverished the former. Thus the hatred of opium and detestation of the foreigner became very nearly synonymous.

The emperor's personal interest in opium suppression

At length, when the Emperor's beloved son died from the effects of opium in the imperial palace, then the grief of the emperor, and the conviction of the misery produced by the drug, worked upon his feelings fully as much as upon his judgment. An attempt was made to place the question

upon *moral* grounds; and the Emperor affected on a sudden to weep for the misfortunes of the nation, and to lament the depravity of his "dear children": and his paternal heart, in the exuberance of its benignity, determined to cut off all their heads, if they would not mend their ways. Thus, by degrees, the reformation of morals became the subject of agitation quite as much as the principles of trade had been before.

### *Section 14. Commissioner Lin and the Opium Crusade*

By the end of the year 1838, the emperor Tao Kuang had decided on a course of definite action: Lin Tse-su, viceroy of Hupeh and Hunan, was appointed Imperial High Commissioner, with powers "real and absolute," to be the emperor's other self in Canton—to "go, investigate, and act." Both foreigners and Chinese waited anxiously his arrival. The officials were unwontedly severe in their ostentatious carrying out of the anti-opium laws. In December, 1838, it was decided to cast obloquy on the foreign merchants by strangling an opium dealer in the square in front of the factories. The foreigners resented this studied insult and refused to permit the execution to take place; the executioner and witnessing officials withdrew. Some of the more excitable foreigners, not satisfied with their victory, started to clear the square of the crowd by the use of sticks. The crowd—much more orderly under the circumstances than a Western crowd would have been—refused to be cleared. There were some eight or ten thousand people and*—

50. A riot around the Factories

The siege of the Factories by the mob was continued thoughout the afternoon, the guards at the corner of the American Factory were obliged to retreat after ineffectual efforts to clear the ground of our assailants, and things looked very serious. In the 'Imperial' Factory, Captain St. Croix, of the 'Alexander Baring,' had collected all the inmates,

*In the following February, one Fung Angan *was* strangled in front of the Factories.

armed with such weapons as they had amongst them, revolvers and fowling-pieces, and proposed a rush out, but happily no demonstration was made. There were without doubt eight or ten thousand of the vilest of the population seemingly bent on the destruction of the 'foreign devils. Towards five o'clock some one suggested that it might be worth while to get notice of our situation to Houqua. It looked as if the Mandarins had left us at the mercy of the mob, while the streets were completely blocked, and no Chinaman probably thought of going on such a mission. Mr. G. Nye (an American gentleman) and myself undertook to go and see him. Getting on the roof of No. 4 'Suy-Hong' we managed to cross to that of a shop in Hong Lane, through which we descended, and after some exertion reached the street in the rear of the Factories, called the 'Thirteen Factory Street,' which led to Houqua's Hong. We found the old gentleman in some trepidation from the news that had been already brought to him, but he seemed quite ignorant of the Square and the Factories being at the mercy of the crowd. He at once despatched a messenger to the 'Kwang-Chow-Foo,' the chief magistrate of the city, and we returned the way we had come. About half past six o'clock, to our great relief we heard the approaching sound of the gong, denoting the coming of the officers, and witnessed from our verandah the immediate dispersion with whips of the rabble. No one was spared, the sight of the numerous soldiers in attendance on the Mandarins caused a rush towards every outlet from the Square, and even to the river, where several were drowned, not a boatman offering them the least assistance. Wide open flew the Factory gates, and in an instant their imprisoned occupants appeared with looks of relief indescribable. The Mandarins passed the night on the ground, chairs were procured for them, official lanterns were lighted, and, conscious of the entire safety which we now enjoyed, and without being disturbed by the hourly beating on gongs of the different watches of the night, we all turned in. The next day every thing reassumed its normal state of comfort and safety. The 'victim' had been strangled at the public execution ground, to which he was taken from the Square. Approaching the Mandarins in the morning to thank them for their timely assistance (rather a 'cool' thing to do, as some one remarked, seeing we had taken the law in our own hands and had driven away the officer of justice the day before!) they received us very courteously, and assured us we had 'nothing to fear!'

Aid from the mandarins

This was the most serious of many provocations inflicted by foreigners upon the authorities. We treated their 'chops,' their prohibitions, warnings, and threats, as a rule very cavalierly. We often spoke of their forbearance and

wondered at the aid and protection they extended to us; in fact, they considered us more as unruly children, people who had never had an opportunity of becoming acquainted with 'Taou-Le,' or 'reason.'

Finally, after having been "daily expected" for several weeks, the Imperial Commissioner arrived in Canton. Very few foreigners were among the crowds which lined the ways of his approach. One curious witness has left an account, however, and from this we can judge of the effect of the great official on the multitude. This occurred on March 10, 1839.

**51. Description of Commissioner Lin and of his arrival in Canton**

The appointment of a 'Kin-chae,' or Imperial Envoy, to Canton, for the express purpose of putting a stop to the opium trade, had now become known. This appointment—only made on an occasion calling for extreme measures—was conferred upon Lin Tsih-Soo, and involved control not only over all the Canton authorities, but those of the southern and southeastern provinces. His Excellency 'Lin' was the son of an independent gentleman of Tseuen-Chow in the province of Fuh-Keen who lived on the revenues of a porcelain manufactory, in which he himself had worked as a day laborer it was said.

The 'Kin-Chae' at length arrived at Canton on Sunday morning, at half past eight o'clock of March 10. Two gentlemen and myself went on board of a small schooner lying off the Factories to witness his arrival. He was seated on board of a large official boat, with a few red-and-blue-button Mandarins standing a little to the rear, so that we had an excellent view of him personally. He had a dignified air, rather a harsh or firm expression, was a large, corpulent man, with heavy black moustache and long beard, and appeared to be about sixty years of age. His own boat was followed by a great many others, on the sides of which, on a black ground, were painted in gold letters the rank of the principal occupants, while flags of various colours were displayed abaft. The crews were neatly dressed in new uniforms of red trimmed with white, and conical rattan hats of the same colors. These boats contained the principal officers of the city, civil and military, from the Viceroy to the Superintendent of the Salt Department. The walls of the 'Red Fort,' nearly opposite the Factories on the Honam shore, were lined with

soldiers, as were those of the 'Dutch Folly,'* arrayed in bright new uniforms. Both shores of the river, every door and window, and every spot of standing ground, were thick with people. Every one was observing the novel scene quietly and as curiously as ourselves. No other boat of any description was moving about; all were lying closely to the shores, and a universal silence prevailed.

Commissioner Lin reached Canton, March 10. He lost no time in taking over the reins of authority. His plans were matured before his arrival, his instructions having been given him by the emperor personally. Eight days later, on the eighteenth, he issued two orders: one to the hong merchants warning them of the error of their ways, and the other to the foreigners. These orders are comparatively lacking in official bombast.

52. Commissioner Lin's edict to the foreigners

### *Edict from the imperial commissioner Lin to foreigners of all nations*

Lin, high imperial commissioner of the Celestial Court, a director of the Board of War, and governor of Hookwang, issues his commands to the foreigners, requiring of all full acquaintance with the tenor thereof.

It is known that the foreign vessels, which come for a reciprocal trade to Kwangtung, have derived from that trade very large profits. . . . It is because our great emperors, in their universal benevolence, have granted you commercial privileges, that you have been favored with these advantages. Let our ports once be closed against you, and for what profits can your several nations any longer look? Yet more,—our tea and our rhubarb,—seeing that, should you foreigners be deprived of them, you therein lose the means of preserving life—are without stint or grudge granted to you for exportation year by year beyond the seas. Favors never have been greater! . . .

The commissioner knows the "tricks" of the foreigners

I, the high commissioner, having my home in the maritime province of Fuhkeen, and consequently having early had intimate acquaintance with all the arts and shifts of the outer foreigners, have for this reason been honored by the great emperor with the full powers and privileges of 'a high imperial

* An old Chinese fort so called, east of the Factories.

commissioner, who, having repeatedly performed meritorious services, is sent to settle the affairs of the outer frontier.' . . .

I find that on board the warehousing vessels which you now have lying at anchor in the Lintin and other offings, there are stored up several times ten thousand chests of opium, which it is your purpose and desire illicitly to dispose of by sale. . . .

His commands: 1. Surrender the opium

I proceed to issue my commands. When these commands reach the said foreign merchants, let them with all haste pay obedience thereto. Let them deliver up to government every particle of the opium on board their store-ships. Let it be ascertained by the hong merchants, who are the parties so delivering it up, and what number of chests is delivered up under each name, and what is the total quantity in catties and taels. Let these particulars be brought together in a clear tabular form, and be presented to government, in order that the opium may all be received in plain conformity thereto, that it may be burnt and destroyed, and that thus the evil may be entirely extirpated. There must not be the smallest atom concealed or withheld.

2. Sign a bond

At the same time let these foreigners give a bond, written jointly in the foreign and Chinese languages, making a declaration of this effect: 'That their vessels, which shall hereafter resort hither, will never again dare to bring opium with them: and that should any be brought, as soon as discovery shall be made of it, the goods shall be forfeited to government, and the parties shall suffer the extreme penalties of the law: and that such punishment will be willingly submitted to.' . . .

After this, you will continue to enjoy the advantages of commercial intercourse; and, as you will not lose the character of being 'good foreigners', and will be enabled to acquire profits and get wealth by an honest trade, will you not indeed stand in a most honorable position?

If, however, you obstinately adhere to your folly and refuse to awake,—if you think to make up a tale covering over your illicit dealings,—or to set up as a pretext that the opium is brought by foreign seamen, and the foreign merchants have nothing to do with it . . . it will be evident that you retain a spirit of contumacy and disobedience, that you uphold vice and will not reform. Then . . . it will become requisite to comprehend you also in the severe course of punishment prescribed by the new law. . . . I swear that I will progress with this matter from its beginning to its ending, and that not a thought of stopping halfway shall for a moment be indulged.

Futhermore, observing the present condition of the popular mind, I find so universal a spirit of indignation aroused, that, should you foreigners remain dead to a

If foreigners do not obey, intercourse with them will end

sense of contrition and amendment, and continue to make gain your sole object, there will not only be arrayed against you the martial terrors and powerful energies of our naval and military forces;—it will be but necessary to call on the able bodied of the people, and these alone will be more than adequate to the placing all your lives within my power. Besides, either by the temporary stoppage of your trade, or by the permanent closing of the ports against you, what difficulty can there be in effectually cutting off your intercourse? Our central empire . . . has no benefit to derive from the purchase of your foreign commodities, and you may therefore well fear, that from the moment such measures are taken, the livelihood of your several nations must come to an end. . . . It rests with yourselves alone to choose whether you will have weal or woe, honor or disgrace. . . . Do not indulge in idle expectations, or seek to postpone matters, deferring to repent until its lateness render it ineffectual. A special edict.

Taoukwang, 19th year, 2nd month, 4th day (March 18th, 1839).

On the day following the above, an order was issued forbidding foreigners to leave the city, and from that moment they became prisoners at large. On the twenty-first, all commercial business ceased and communication even with Whampoa was cut off, and "cruisers carrying armed men assembled on the river in front of the factories."* On the twenty-second an offer of 1,037 chests of opium was made to Lin, but rejected. Two days later Captain Elliot, the Chief Superintendent of British trade, arrived in Canton from Macao. From this day the real segregrated incarceration of the foreigners began. Within three hours of Elliot's arrival not a Chinese was in the factories. All entrances and passes to the factories were closed and guarded. About three hundred foreigners were imprisoned, and every care was taken to cut off communication between them and the natives—but without complete success.

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*_Chinese Repository_, Vol. VII, p. 621.

53. An eyewitness's account of Lin's imprisonment of the foreigners

On March 23,* every Chinaman in the Factories, from the Compradore to the cook, left by order of the 'Kin-Chae,' and were threatened with decapitation if they dared to return. . . .

On March 27, on the 'Kin-Chae's' demand to Her Majesty's Superintendent 'that all the opium under the control of the English merchants should be given up,' 20,283 chests were tendered and accepted, and 'Chunpee' fixed upon as the place of delivery. To control the delivery, Mr. Alexander Johnston, Deputy Superintendent, was furnished with a conveyance, and left Canton on April 3. The 'receiving ships' moved up to the Bogue, where the entire quantity was handed over to officers (appointed by the 'Kin-Chae'), who caused it to be destroyed in deep trenches on Chunpee heights. Thus 'reverent obedience' was shown. Captain Elliot remarked, in his despatch to her Majesty's Government, dated March 30, 1839: 'This is the *first time, in our intercourse with this Empire*, that its Government has taken the unprovoked (?) initiative in aggressive measures against the British *life, liberty*, and *property*, and against the dignity of the British Crown.' No words could more strongly confirm every thing herein said in relation to the safety of property and life which we had enjoyed at Canton. But the despatch contained not a word of the provocation given by foreigners in continuing the condemned traffic under constantly repeated injunctions against doing so, and persistent warning to discontinue it. I, of course, do not blame my brother merchants at Canton, no matter to what nation they belonged, as we were all equally implicated. We disregarded local orders, as well as those from Pekin, and really became confident that we should enjoy perpetual impunity so far as the 'opium trade' was concerned.

The night of March 24 was one of unusual brilliance in its cloudless sky and full moon. The Factories, forcibly abandoned by several hundred Chinese (estimated at eight hundred) at a moment's notice, resembled somewhat places of the dead! Their foreign occupants were thus left literally in a complete state of destitution as regards service of any kind, not even a scullion being allowed to remain. The consequence was that they were compelled, in order to *live*, to try their own skill in cooking, to make up their own rooms, sweep the floors, lay the table, wash plates and dishes! It may be supposed that it produced discontent, complaints, and impatience. Not at all; we in the Suy-Hong—and it was the same with our fellow-prisoners in the other Factories,

Forced to do their own work

* A slight error; it was not till the evening of Elliot's arrival that the Commissioner's orders for all natives to leave was given [Ed. note].

with few exceptions—made light of it, and laughed rather than groaned over the efforts to roast a capon, to boil an egg or a potato. We could all clean knives, sweep the floors, and even manage to fill the lamps. But there were mysteries which we could not divine; our chief, Mr. Green, after a vain attempt to boil rice—which, when prepared, resembled a tough mass of glue—proved a most wretched cook, and took to polishing the silver, but abandoned that and finally swept the floor! Mr. Low conscientiously did all he could, but after toasting the bread to death, and boiling the eggs till they acquired the consistency of grape-shot, he abandoned that department, and took to one not exacting so much exercise of mind, and 'laid the cloth' dexterously and well. The rest of us, from modesty or a feeling of sheer incapacity, did no more than was absolutely necessary. It would have been unfair to rob the others of their laurels! Some one had to fill the pitchers; any one could draw a cork, or even boil water. Thus by hook or by crook, we managed to sustain life—of which the 'bread' was nightly supplied to us by Houqua's coolies. They also brought (made up in bags, as if 'personal effects' or 'blankets to keep off the dew,' thus passing the guards) edibles of all sorts.

Blame for the emperor and the High Commissioner

During the day we met in the Square, which became 'High 'Change' of experiences in desperate efforts to roast, boil, or stew. Some went the length of considering it great fun; others heaped unheard-of blessings upon the heads of His Celestial Majesty, Taou-Kwang, and his envoy 'Lin.'

No two men were so unctuously abused; *as if* the vilifiers themselves had always followed strictly the 'Eight Regulations' under which they lived! What amusement all this created.

Surrender of the opium

By May 2, 15 501 chests had been given up, when the servants were allowed gradually to return, and the whole quantity, 20,283 chests,* completed on the 21st. On the 27th Captain Elliot returned to Macao, and on the 30th the opium clipper 'Ariel' left for Suez direct with despatches for the British Government. She returned on April 2, 1840.

Between May 6 and 21 many foreigners were permitted to leave the city, and went to Macao or Whampoa. Captain Elliot, before going himself, on the 22nd issued a notice to British Subjects that they also were to leave, and by the end of the month they had left; and there remained no foreigners but Americans, about twenty-five in number.

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*Owing to miscalculation the actual number surrendered was 20,219 chests. For explanation, see Morse's *International Relations*, Vol. I, p 225 [Ed. note].

Commissioner Lin was delighted to find in Elliot one whom he could hold "responsible" for any and all misdemeanors. On March 25, Elliot demanded passports for the English in Canton, and referred to England and China in a manner assuming equality. Lin promised the passports upon receipt of the opium and referred in a sarcastic manner. to the implied equality of any country with China. On the twenty-seventh, two and a half days after his arrival, Elliot, relying on expediency rather than justice, issued the following papers calling upon British subjects to surrender their opium and promising Lin to obey his "commands."

54. Captain Elliot's public notice to British subjects

Conditions under which issued

I, Charles Elliot, chief superintendent of the trade of British subjects in China, presently forcibly detained by the provincial government, together with all the merchants of my own and the other foreign nations settled here, without supplies of food, deprived of our servants, and cut off from all intercourse with our respective countries, (notwithstanding my own official demand to be set at liberty so that I might act without restraint,) have now received the commands of the high commissioner, issued directly to me under the seals of the honorable officers, to deliver into his hand all the opium held by the people of my country. Now I, the said chief superintendent, thus constrained by paramount motives affecting the safety of the lives and liberty of all the foreigners here present in Canton, and by other very weighty causes, do hereby, in the name and on the behalf of her Britannic majesty's government enjoin and require all her majesty's subjects now present in Canton forthwith to make a surrender to me for the service of her said majesty's government, to be delivered over to the government of China, of all the opium under their respective control: and to hold the British ships and vessels engaged in the trade of opium subject to my immediate direction: and to forward to me without delay a sealed list of all the British owned opium in their respective possession. And I, the said chief superintendent, do now, in the most full and unreserved manner, hold myself responsible for, and on the behalf of her Britannic majesty's government, to all and each of her majesty's subjects surrendering the said British owned opium into my hands, to be delivered over to the Chinese government. And I, the said chief superintendent, do further specially caution all her majesty's subjects here present in Canton, owners of or charged with the management

British opium to be surrendered to Elliot

of opium, the property of British subjects, that failing the surrender of the said opium into my hands at or before six o'clock this day, I the said chief superintendent, hereby declare her majesty's government wholly free of all manner of responsibility in respect of the said British owned opium.

And it is specially to be understood that proof of British property and value of all British opium surrendered to me agreeably to this notice shall be determined upon principles and in a manner hereafter to be defined by her majesty's government.

Given under my hand and seal of office at Canton in China, this twenty-seventh day of March, one thousand eight hundred and thirty-nine, at six of the clock in the morning.

[L. S.] (Signed) CHARLES ELLIOT,

Chief superintendent of the trade of British subjects in China.

55. Elliot promises to surrender the opium

*Captain Elliot to the Imperial Commissioner.*

Canton, March 27, 1839.

Elliot, &c., &c., has now had the honour to receive, for the first time, your Excellency's commands, bearing date the 26th day of March, issued by the pleasure of the Great Emperor, to deliver over into the hands of honourable officers to be appointed by your Excellency all the opium in the hands of British subjects.

Elliot must faithfully and completely fulfil these commands, and he has now respectfully to request that your Excellency will be pleased to indicate the point to which the ships of his nation, having opium on board, are to proceed, so that the whole may be delivered up.

The faithful account of the same shall be transmitted as soon as it is ascertained.

(Signed) CHARLES ELLIOT.

Captain Elliot left Canton for Macao, on May 24, two months to a day after his arrival, the "siege" having been lifted on the fifth instant. All British subjects who had not previously left accompanied Elliot. The delivery of the opium had been completed on the twenty-first; this, however, did not end the trade which was carried on along the coast.

The official reports of Elliot to Lord Palmerston are of especial value, showing, as they do, the conflicting ideas in the minds of those involved in the incidents discussed as to the real status and the future of the opium traffic; and also to show the effect on the mind of Captain Elliot, who has been accused by some writers of almost sentimental weakness in his actions, of his intimate connection with the problems at Canton, and the Chinese officials.

*Canton, April* 6, 1839. 56. Elliot's reports to Lord Palmerston

. . . On the 19th ultimo all intercourse between Canton, Whampoa, and the outside anchorages was authoritatively stopped by the commands of this government, and not a single ship's boat has succeeded in getting from Canton to Whampoa since the 21st ultimo, or (excepting my own on the 24th at the risk of my life) from Whampoa to Canton up to this date, 6th April. I did not leave Macao till the 23rd March. On the 24th I passed through the Bogue. . . .

So much for the implication that all was open till I came in, with the intention to run out. Your Lordship will know that I came here to do my duty, which was to place myself, if possible, between the fearful proceedings of his Excellency and her Majesty's subjects, and, if I could not ward them off, at least to share them.

This rash man is hastening on in a career of violence, which will react upon this empire in a terrible manner. . . .

In the first place, it was remembered that the late frequent changes of policy of the Government in relation to this trade, left it a matter of perfect doubt to the very day before the Commissioner's first edicts appeared, whether the avowed purposes were to be depended upon or not, or whether the object was merely the extensive check of the trade by subjecting it to heightened temporary inconvenience, and exacting some considerable fees for the price of its future relaxation. . . . The increasing imports proved that there was no real and general apprehension of the measures which have been taken. . . . Confusion regarding opium

The surrender of the property at the first public summons was founded upon the clear perception, that the demand without alternative of any kind . . . was an act of forcible spoliation of the very worst description justly leaving to her Majesty the right of full indemnity and future security.

The situation of this peculiar property has been entirely altered by the High Commissioner's proceedings; and his

continuance of the state of restraint, insult, and dark intimidation, subsequently to the surrender, has certainly classed the whole case amongst the most shameless violences which one nation has ever yet dared to perpetrate against another.

Criticism of Lin's method

It is not by measures of this kind that the Chinese Government can hope to put down a trade, which every friend to humanity must deplore; great moral changes can never be effected by the violation of all the principles of justice and moderation.

*Canton, April* 13, 1839.

. . . The utmost conceivable encouragement, direct and indirect, upon the one hand, and sudden violent spoliation on the other, are the characteristics of the Chinese measures concerning the opium subject.

The institution of intimidatory proceedings against the merchants, the continued forcible detention of all our persons, the menaced privation of fresh water, of food, and of the life of Her Majesty's officer, form the heavy account of responsibilities which this Government has now incurred.

*Canton, April* 17, 1839.

Return of the servants

. . . Our close captivity still continues: the servants, however, are coming back gradually. . . . About one-half of the opium surrendered will be delivered to the officers of the Chinese Government to-morrow evening.

*Canton, April* 22, 1839.

Our confinement still continues. . . .

No circumstance shall disturb my determination to let him fill the measure of his responsibility. For I well know that remonstrance from a man in my present situation to a high Chinese officer, determined to be false and perfidious, can serve no other purpose than to furnish him with adroit turns in plausible palliation of his own conduct.

Appeals to reason or justice are out of the question; complaint would be unbecoming; and he would only wring the language of warning or indignation to his own advantage. . . .

Indeed, my Lord, I have ascertained beyond all doubt, that the surrender of this mass of property . . . has overturned the original schemes (of whatever nature they were) and that the High Commissioner has applied to the Court for orders concerning its disposal. . . . I confess I have a suspicion that the present spoliatory measures will end in the legalization of the trade, upon the footing of a Government monopoly. . . . The actual price of opium in this city is certainly nothing under 1200 dollars a chest. . . .

Captain Elliot's recommendations

I will . . . submit, in a brief form, the general impressions which are more and more forcibly fixing themselves upon me, as I attentively consider the whole subject of these despatches.

In the first place, it appears to me that the immense extension of our peaceful trade and intercourse with this empire is as certain as any event dependent upon human agency can be said to be.

Secondly.—That this object can alone be attained by immediate vigorous measures, founded upon the most moderate ulterior purposes.

Thirdly.—That as a more just, necessary, or favorable conjuncture for action never presented itself, so, upon the other hand it cannot be cast away, except at the certain and immediate sacrifice of honourable trade and intercourse with the empire: and the production of such a condition of frightful evil as Her Majesty's Government will not bear to consider. And, lastly, that every man's just indemnity may be surely recovered from this Government.

Below is given an account of the *immediate* effect of Lin's actions on the opium trade. Unfortunately, conscienceless smugglers from outside of China persisted in the trade, arming their ships so as to be able to defeat native craft. In January, 1840, the *Chinese Repository* reported: "On the coast the number of vessels engaged in the illegal traffic is probably as great now as at any former period, perhaps it is greater. The price of the drug, during the last six months has generally ranged from $700 to $1200 per chest. . . . Moreover, not a few of the native smugglers are arming themselves with muskets and powder and ball, supplied to them by foreigners, in order to defend themselves against the officers of their own government."

57. Immediate effect of Lin's actions on opium traffic

When the Imperial Government took the unlooked-for measure of seizing the English-owned opium and punishing the native dealers, the day seemed to have arrived when the trade in it would really cease. The Canton houses had been forcibly deprived of their stocks; the supply on the East coast, under the control of very few of them, was diminishing, with no fresh supplies to look forward to. Quantities which were on their way from India were being landed at

Singapore or sent over to Manila, while further shipments from the former country were entirely suspended. On all sides a complete darkness existed as to what would be the result. Holders were offering to sell at Singapore for next to nothing; the article was in reality a drug indeed. Even as low as $150 to $200 per chest became its normal value in the Straits. This was the condition of the 'opium question' which quickly followed the confiscation. The foreign community, with the exception of the Americans, had all left Canton, and at first took up their quarters on board of ships at 'Kow-Lung;' but having been bombarded out of that anchorage by the Mandarins, 'Toon-Koo,' at the mouth of the 'Capshuymun,' became the general rendezvous. . . .

Price of opium in Canton

Inside of the city of Canton, as we heard from Chinese, the price rose to $3,000, while the sale of it or the smoking of it was almost a matter of life and death—the latter was the penalty threatened and even carried out against those who were known to indulge in it. The Imperial Commissioner was on the spot; he was inexorable, consternation prevailed throughout the Chinese community, but we heard from good authority that the number of the beheaded was not large.

## *Section 15. Various Criticisms of Commissioner Lin's Actions*

The king of Cochin China, before quoted,* never ceased regretting the "mild treatment" accorded to Lord Amherst in 1816; to this he attributed all of China's later troubles with the "barbarians." His account of Commissioner Lin's weakness, and of the resulting war, is illuminating.

58. Criticism by the king of Cochin China

In the commerce of the English with the men of the Tsing [the Chinese], their only profit was on opium. The men of Tsing had been much injured by it; families had been broken up, estates ruined, life lost, health destroyed; so great was its mischief. In the 20th year of Tàu Kwang, the emperor of the Tsing issued an interdict against it, ordaining that offenders should be put to death and their property confiscated. Lin Tsih-sŭ was made governor-general of the Two Kwang to take order with the English barbarians, and to put a stop to the opium trade. Tsih-su (*Sc.*, Lin) from the time

*See Chapter I, Section 1, Part 2.

of his arrival showed himself pure and determined. Of the English barbarians he merely demanded the whole of their opium, which, when he had received, he destroyed, and he made a prisoner of their chief, thinking by these means to insure the submission of the outer nations. The English barbarians, however, were proud and intractable, and, excelling in fighting on the water, they put to sea in vessels of war. They first invaded Kwang Tung, giving out that the property of English merchants had been seized without a cause, and demanding full compensation. The refusal of the men of Tsing brought on war; Kishen replaced Lin Tsih-sü, who, for receiving the opium, and seizing the barbarians' chief, was found guilty of causing war in a frontier jurisdiction. Kishen loved money, and having taken bribes of the English barbarians, agreed in the first place to give them a portion of territory, and privily entertained relations with the outer barbarians. The matter coming to light, the emperor of the Tsing refused his sanction; seized Kishen and put him to death,* and the English barbarians, alleging a breach of faith in respect of the territory set apart for them, invaded the country in great force, spreading like a flood over the seven† provinces of Fuh Kien, Cheh Kiang, Shan Tung, Chih Li, Kiang Su, and Shing King [Manchuria], Ting-hai, Chin-hai, Ning-po, Cha-pu, Chusan, and the Tiger's Gate [Bocca Tigris], were

Character and actions of the English

COMMISSIONER LIN

*Kishen was sentenced to death, but lived to rise and fall once and again. He died at last in 1855, waging war against the T'ai P'ing insurgents in Kiang Su.

†Seven including Kwang Tung above named. The English did not invade Shan Tung, Chih Li, or Manchuria.

lost, one after the other. The admiral Kwan T'ien-pei, the governor-general Yükien, and some tens of high officers besides, fell in battle. The calamities of war lasted three years without any one being able to bring matters to an end; everything was in the greatest confusion, when, as a last resource, Ilipu, Kiying, and Niukien proposed to the emperor of the Tsing to allow trade at Kwang-chau [Canton], Fuh-chau, Hia-mun [Amoy], and Shang-hai as before, and to give Hong Kong to the English barbarians for ever. These further extorted 21,000,000 dollars as compensation in full for their merchandise, and their expenses for all the years that troops had been employed, before they would treat of peace. The emperor of the Tsing, having no alternative but to consent to what they required, engaged to pay the full amount of the compensation in three annual instalments, during the years *kwei-mau* [1844], *kiah-shin* [1845] and *yih-tsz'* [1846]. They then went so far as to exact a record of his assent in the handwriting of the emperor of the Tsing; and though their language was most arrogant and disrespectful, the emperor of the Tsing stooped to accede to everything they demanded.

In what then did his course, as above, differ from the *'humble words and rich gifts'* of his majesty Kàu, of the Sung dynasty, to the Kin [Tartars]? Be it that Lin Tsih-sü was not sufficiently strict, and did not cause the barbarians to be expelled; further, that by taking their opium and destroying it he gave them something to lay hold of as a grievance, and that in process of time he did bring war upon the frontiers; the real cause of the evil, nevertheless, will be found to be simply that the policy handed down by Kia K'ing was bad.

Lin was not strict, but really Kia K'ing was to blame

The criticism of the French authors cited below goes directly to the point. It was not the attempt to break up the opium trade which was culpable, but the means employed.

59. Criticism of Lin from a French point of view

This was a violent measure, especially when we reflect that Lin was by no means in the right. In France, where ideas are not always correct, it is a settled point that the English were wrong in the opium war and that the cause of right suffered in the treaty of Nankin. No opinion could be more false. The English carried on a contraband trade on the coasts of the Celestial Empire precisely similar to the smuggling which takes place on the coast of France; and we have not, as I am aware, laid down the principle that we can seize and threaten with death all the foreign

merchants within our clutches, on the pretext that there are vessels in the Havre or Marseilles roads loaded with contraband goods.

This English account, written sixty years after the events, presents the incidents leading up to the war as the result of conflicting racial psychological traits. Incidentally, it shows that in history logic is not always to be trusted.

60. An English criticism

Into the merits of the opium question itself, or of that unique transaction, the surrender of £2,000,000 sterling worth of the commodity by a British agent on the mere demand of a Chinese official, it would be impossible to enter within the limits of space assigned to us. But it is obvious that such a demand, made within two years of the time when the viceroy of Canton was building a flotilla to carry the merchants' drug from the receiving ships to his provincial capital, was something so extravagant that compliance with it must be followed either by open war or by complete submission and the abandonment of China as a trading field. It is of course conceivable that had the ordinary Chinese canon been applied to the case, and the proclamations of Commissioner Lin been interpreted, like those that had gone before, as the inaugural bombast of a newcomer, the demands might have been evaded with impunity. The Portuguese, in fact, did evade them by the simple expedient of sending their opium to sea for a time and bringing it back again. There is some ground for the surmise that the High Commissioner himself reckoned on evasion, and was even embarrassed by his unexpected success in having such an enormous amount of property frankly thrown on his hands. Our collision with China may thus be said to have been brought about by a breach in the continuity of precedents on both sides,—we reckoning up to a certain point on the continuance of sham, and the Chinese on the continuance of submission. Both were misled, and there was no way of reconciliation but by the arbitrament of force.

The clearest, most concise and complete, summary and criticism of Commissioner Lin and Captain Elliot is that given by Mr. H. B. Morse, an American authority, unprejudiced and experienced, who wrote the account here given three quarters of a century after the events.

**61. An American criticism of Lin and Elliot**

Commissioner Lin's entire course is clear as crystal. His one motive was to suppress the importation and consumption of opium, and to secure that end he was ready to adopt all means; and his plan, settled in all its details before his arrival in Canton, was that outlined more than two years before in Hsükiu's memorial. His first step was to seclude the entire foreign community, guilty and innocent together, acting on the Chinese doctrine of responsibility, and holding the generality answerable for every act, past or future, of each individual; and this he did to get into his possession the opium which was then in Chinese waters but not yet sold, and to obtain guarantees that no more should ever be introduced to replace it. There is no suggestion that the lives of the foreigners, even of Mr. Dent, were ever in any peril*—that there might be a repetition of the Black Hole of Calcutta; nor did the seclusion amount, nor was it likely ever to amount to a Chinese imprisonment with its attendant horrors. It was, however, much more than "confinement to barracks"; the foreigners were "prisoners at large"; accustomed to being served, they were deprived of all service; dependent on the market, their supplies of fresh provisions were cut off; for drinking and cooking they were driven to use water almost too polluted for bathing; and there hung over them always the black cloud of impending dangers of unknown kind and magnitude. There was no relenting and no prospect of it, and the opium in Chinese waters was surrendered as ransom. The authorities did not go out to seize it, as was their right, and then destroy it, as was their right; they required it to be brought within their reach, as a precedent condition of release from close seclusion. . . . When the foreign community was released, it was because the High Commissioner had obtained, as he thought, all he could hope for; and it was a bitter disappointment to him that Captain Elliot showed himself no less ready to "stop the trade" than the Chinese authorities themselves . . . and it was no less bitter to find that he could not cut the root of the illicit coastwise traffic, but must meet it at every point where it existed. . . .

Captain Elliot's authority for what he did was questioned at the time, to some extent at Canton and Macao, and in a greater degree in England, both in the country and in parliament; but, as his government continued the policy to which his acts inevitably led, the question of the limits of his authority need not occupy us, and to-day . . . we

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*Otherwise than from the danger, always much greater in China than elsewhere, arising from the unregulated zeal of subordinate agents. (H. B. Morse.)

are concerned solely with the necessity and the wisdom of his course. When the High Commissioner unmasked his batteries, the superintendent began by assuming the "firm tone and attitude," to the adoption of which English opinion had by this time come, as the only course providing a remedy for the defects in international relations as they then existed at Canton; but within forty-eight hours afterwards, he saw that the only plan possible at the time was to yield to *vis major*, and to obey the "commands" laid upon him by the Chinese, to the utmost extent to which he could stretch his authority. . . . When freed from his detention at Canton, he stopped the trade as far as he could, following the policy adopted on many previous occasions, both by the Chinese and by the East India Company, as a means of securing important objects. The only reason given, whether to the Chinese or to his own government, was that in the actual situation he must await instructions. . . .

To the Chinese, opium was the one reason for the war, and, with a just cause, they expected fully the support of the Western world. In the famous letter written by Commissioner Lin to Queen Victoria, he betrayed no consciousness that there had ever been any other cause of dispute, or that the Queen's subjects had any grievance requiring to be redressed; opium was the sole subject treated, and the obligation imposed on the Queen's government to see to it that none came in to poison the people of the inner land. To the foreigners in general, with the English pushed into the forefront, opium was an incident. Whether the British government would have allowed a British subject, even after a fair trial, to be executed by decapitation, or even by the mitigated penalty of strangulation, for an act of smuggling, even of so special an article as opium, must remain an academic question; but it is very unlikely that it could ever have happened during Lord Palmerston's long connexion with the control of foreign affairs. Of other grievances there was a long list, all weighing on the foreign merchants and calling for remedy; and war had been hanging in the air from the time of Lord Napier's protest on. War came when it did because the Chinese had precipitated a crisis by a vigorous campaign against opium; but it was not fought to uphold the trade in opium, and it was only the beginning of a struggle, which lasted for twenty years, and which was to decide the national and commercial relations which were to exist between the East and the West.*

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*"The first war with China was but the beginning of a struggle between the extreme East and the West, the East refusing to treat on terms of equality, diplomatically, or commercially, with Western nations, and the West insisting on its right to be so treated."—F. L. Hawks Pott, *A Sketch of Chinese History*, p. 134.

## *Section 16. The Opium Question from the Moral Point of View*

No discussion of the opium question can go far without a consideration of the morals involved in the trade in opium for non-medicinal purposes. The controversy was bitter on this subject from the time that the drug began to be smoked in China in the seventeenth century. The argument that the traders in opium must not be judged harshly because we must judge men by the ethical standards of their own day and not by those of ours does not help much in the case under discussion. As to whether the Chinese and the Manchus were moved to drastic action by moral or economic motives has been discussed above in the memorials. Here the question is to be considered mainly on its intrinsic merits.

The first selection below is the "personal experience" of Mr. William C. Hunter, whose valuable '*Fan Kwae at Canton* has been so copiously quoted. As the mature conclusion of a merchant of forty years' experience the ideas expressed merit consideration.

**62. The "personal experience" of an American merchant in Canton**

While the opium trade was going on, discussions often occurred as to the morality of it, as well as to the effect of smoking on the Chinese. None of the Hong merchants ever had anything to do with it, and several of the foreign houses refrained from dealing in it on conscientious grounds. As to its influence on the inhabitants of the city and suburbs at large, they were a healthy, active, hard-working, and industrious people, withal cheerful and frugal. They were intelligent in business, skillful in manufactures and handicrafts. These traits are inconsistent with habitual smoking, while the costliness of the prepared drug was such as to render a dilution of it (to bring it within the means of the masses) utterly harmless. Amongst the wealthier classes, no doubt, it was more or less common, this we knew; but I myself, and I think I may safely say the entire foreign community, rarely, if ever, saw any one physically or mentally injured by it. No evidences of a general abuse, rarely of the use of the pipe, were apparent. I remember one man having been brought

to a missionary hospital to be treated for excessive smoking of opium, but he was looked upon as a Lion and much was made of him. In fact, smoking was a habit, as the use of wine was with us, in moderation. As compared with the use of spirituous liquors in the United States and in England, and the evil consequences of it, that of opium was infinitesimal. This is my personal experience during a residence at Canton, Macao, and Hong Kong of forty years.

The arguments given in the preceding selection are almost identical with those given by "A Reader" in a letter published in the *Repository* for December, 1836. They were answered in a letter by a British merchant in Canton published in the *Repository* for January, 1837.

**63. A British merchant's answer to the above arguments**

Were the traffickers in this poison,—for such no one in possession of his senses can deny it to be, to state plainly that they deal in it merely as a matter of gain; and that, with them, this determination supersedes every consideration of right or wrong, then their premises could be at once seen, and opposition or reasoning would be vain, since all conviction would be fruitless; but when, as now, the practice, evil in itself, and necessarily felt to be so, is upheld by anxious sophistication, it is but right that it be exposed. . . . Were not great capital, skill, and enterprise embarked in this trade, it would never have arrived at its present magnitude. . . . Constantly, avowedly, notoriously, in the practice of a trade, directly opposed to the laws of the empire; not less opposed to morality and propriety; the purveyors of a most powerful incentive to vice; a fierce moral destroying agent—on what has the opium merchant to plume himself, beyond his brother smuggler and law breaker, the contraband gin-importer into Great Britain? The one risks his life—the other, shielding himself behind the corruption of the local officers, or the weakness of the marine, carries on deeds of unlawfulness, without even the risk or excitement of personal danger; and coolly comments on the injustice of the Chinese government in refusing the practice of international law and reciprocity to countries, whose subjects it knows only as engaged in constant and gross infraction of laws, the breaking of which affects the basis of all good government, the morals of the country. . . .

Reverse the picture. Suppose, by any chance, that Chinese junks were to import into England, as a foreign and fashionable luxury, so harmless a thing as arsenic, or corrosive sublimate—that, after a few years, it became a rage—that thousands—that hundreds of thousands used it—and

that its use was, in consequence of its bad effects, prohibited. Suppose that, in opposition to the prohibition, junks were stationed in the St. George's channel, with a constant supply, taking occasional trips to the isle of Wight, and the mouth of the Thames, when the governmental officers were sufficiently attentive to their duty, at the former station, to prevent its introduction there. Suppose the consumption to increase annually, and to arouse the attention of government, and of those sound thinking men who foresaw misery and destruction from the rapid spread of an insidious, unprofitable, and dangerous habit. . . .

The comparison of opium to wine is, I beg to say, mere "fudge", and the attempt at argument, thence deduced, no better than non-sense: but, even did the parallel hold, what would it prove? That because people in the western world poison themselves with wine, it is right and expedient that the Chinese should be poisoned with opium. . . . Such is the opinion entertained of it, *in all countries where it is used*, that he, who has once become a prey to the infatuation, is regarded as lost to society, his family, and himself—he is looked on as a reprobate, a debauchee, an incurable; and experience proves, by the innumerable wrecks which the fatal habit marks on its page, the truth of the observation. I will refer you for proof of this, to all the writers* on Turkey, Persia, and other countries, where the habit prevails. You will find all agree in the remark, above made. Does not our own experience confirm it? Who would have in his house a servant who smokes opium? Is not such a man a marked one, by his own countrymen and foreigners; and is he not looked down on with pity or scorn in consequence? The Chinese, who may be allowed to know somewhat of their own people, denounce the habit, as prejudicial and destructive. When once it is indulged in, renunciation is all but impossible; and the appetite, "growing by what it feeds on," increases till premature decay and death close the scene of dissipation and vice. This picture is by no means so agreeable a one to contemplate, as the *fancy* one of using it—being merely "a rational and sociable article of luxury and hospitality;" but, what it wants in pleasing imagery, it makes up in truth. Ask any Chinese (who does not use this rational and sociable thing,) what it is, and hear what he will tell you. . . .

. . . The saving clause in the opium-smuggling profession is that it is, not *a vulgar* one. It is a wholesale trade. Sales are made in thousands of dollars' worth. The amount is gentlemanly. Single balls would be low. Sales by retail

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*Hope, Chardin, Fraser, Madden, Raffles, and a host of others.

would be indefensible. The seller of a pipe or two, the poor pander to a depraved appetite, should be pursued by justice—for none of these can be gentlemen. That which, sold in chests, is commerce, and to be applauded, becomes vulgar and mean when doled out in small lots. Admirable logic! with which one may hug one's self, satisfied that it is nothing more than "supplying an important branch of the Indian revenue safely and peaceably." . . . The trade may be a profitable one—it may be of importance to the Indian government, and to individuals—but to attempt a defense on the ground of its not having a dangerous and pernicious influence on health and morals, is to say what cannot be borne out, by fact or argument; and what all, who reason on the subject, cannot but feel to be an impotent attempt to defend what is, in itself, manifestly indefensible.

A twentieth century summarization of the moral versus economic motives of the nineteenth century Chinese and Manchu officials ends the consideration of the ethical aspects of the problem in the middle of the last century.

64. Was the opium question in Canton in 1839 one of morals or economics?

*It may be observed, however, now that the opium question in China has become a question of religious and sentimental polemics in England, that the action taken by the Viceroy Lin at Canton in destroying the British merchants' opium was due not to moral considerations, but to his uncompromising contempt for the foreigner and all his works. Our first war with China has been persistently described as an "opium war" by persons vocationally identified with opium abolition as a prominent plank in the missionary platform; nevertheless, the fact remains, clearly demonstrable to all who are not carried away by their prejudices, that neither the Peking government nor the Viceroy at Canton regarded the opium question from any point of view other than the political, fiscal and economic. One party at Peking, under Mu Ch'ang-a, was in favour of legalising the drug (as Sir H. Pottinger advised) just as it was in favour of granting many other reasonable trade facilities to the foreigner. The other party, the irreconcilable conservatives and chauvinists, were all for excluding it, on precisely the same grounds as they opposed the opening of new ports to trade. Lin Tsé-hsü, the Viceroy of Canton, was the real cause of the war, because his attitude of contemptuous insolence and his methods

* From *Annals and Memoirs of the Court of Peking*, by E. Backhouse and J. O. P. Bland.

of barbarism were not such as any self-respecting nation could tolerate. The following extract from a letter addressed directly to Queen Victoria by this stiff-necked patriot of the old school, contains, in a few lines, the whole pitiful tragedy of China's collapse before the impact of the West.

Part of Commissioner Lin's letter to Queen Victoria

"You savages of the further seas have waxed so bold, it seems, as to defy and insult our mighty Empire. Of a truth it is a high time for you to 'flay the face and cleanse the heart,' and to amend your ways. If you submit humbly to the Celestial dynasty and tender your allegiance, it may give you a chance to purge yourselves of your past sins. But if you persist and continue in your path of obstinate delusion, your three islands (*sic*) will be laid waste and your people pounded into mincemeat, as soon as the armies of His Divine Majesty set foot upon your shores."

Lin addressed this to the Queen of England in the style which Chinese officials habitually use in addressing their equals, and not in the form of a memorial to a crowned head. It was not a wise policy for one to adopt who proposed to destroy the British fleets with stinkpots.

Two parties on opium question

At Peking, counsels were sharply divided between making peace on the terms demanded by the British and war *à outrance*. The rabid conservatives were then, as they are to-day even in Young China, all bombast and bravado, and they fiercely denounced Mu Ch'ang-a and his policy of truckling to the barbarians. There were amongst them, as there are to-day, sincere patriots who sinned in ignorance, and there were brave men, like the Manchu commander of the Tartar garrison at Chinkiang, who fought valiantly and died for their blind faith in the invincible supremacy of the Middle Kingdom. In the beginning of 1841, the Emperor's opinions, after several vacillations, were identical with, and probably inspired, those of the Canton authorities. In January he issued a decree (similar to those of Tzú Hsi in 1900), ordering his faithful people to drive the hated foreigner into the sea. But within a few months, after Chusan and Ningpo had fallen into the hands of the British, wiser counsels began to prevail.

A brief but acute consideration of the fundamental difference in the positions of Lord Napier and Captain Elliot and of the consequent "fate" of each, lies tucked away in a footnote (page 92) in Mr. Alexander Michie's *The Englishman in China*. The oft-repeated query as to whether certain historical incidents *must* have happened is here answered to at least one thinker's satisfaction.

But the first representatives of the British Crown in China were doomed to failure by the nature of their commission. The terms of their instructions were more than contradictory—they were mutually destructive. To conciliate the Chinese while opening official relations with them was to mix the ingredients of an explosive. A dilemma was, in fact, presented unwittingly by the British Government to their agents. Lord Napier impaled himself on one horn—that of claiming a diplomatic status; Captain Elliot on the other—that of gaining over the Government by conciliation; and no earthly skill could have saved either of them.

**65. Fundamental difference in the positions of Lord Napier and Captain Elliot: results**

## SUPPLEMENTARY READINGS

**See references to the preceding chapter, also:** N. Allen, *The Opium Trade* (Lowell, Mass., 1853); *Chinese Repository*, Vols. III–V, VI, VII, XI; British Blue Books: *Correspondence Relating to China;* Hunter, *'Fan Kwae' at Canton;* Bernard, *Voyages and Services of the Nemesis;* Callery and Yvan, *History of the Insurrection in China* (London, 1853); A. Michie, *The Englishman in China*, 2 vols. (Edinburgh and London, 1900), Vol. I; E. Backhouse and J. O. P. Bland, *Annals and Memoirs of the Court of Peking* (London, 1914); J. F. Fraser, *Through Upper Burma and Western China*, pp. v–xxvi of Vol. XXVI (1898) of Transactions of The Asiatic Society of Japan; Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909 (Shanghai, 1909); Documents Relating to Opium, etc. (Canton? 1836); E. J. Eitel, *Europe in China*, Chaps. V, VI, VIII; Sir J. F. Davis, *China During the War and Since the Peace* (London, 1852); H. B. Morse, *International Relations*, Vol. I, Chaps. VII, VIII.

# CHAPTER V

## THE FIRST ANGLO-CHINESE WAR, AND AFTER

### *Section 17. The Outbreak of War*

By the summer of 1839, it was fairly clear to both Chinese and English that the difficulties between the two peoples were not to be removed without force. Race psychology, pride, and ignorance were the background factors. On the part of the Chinese there was never a declaration of war; the nearest to this was the publication of the following document "calling on the people to arm themselves, to resist parties of English landing on their coasts."

66. Lin's and Tang's appeal to the people

Lin, high imperial commissioner, &c., and Tang, governor of the two Kwang, &c., A proclamation giving clear commands.

Whereas the English foreigners, in their overbearing pride and unpracticability, have withstood the prohibitory enactments; these depraved individuals who deal in opium, have continued to linger at Macao; the empty store-ships which had surrendered their opium have thus long remained anchored in the outer seas; and newly-arrived merchant vessels, neglecting to surrender what opium they have brought, have assembled at Hongkong and the neighborhood, neither entering Whampoa, nor yet sailing back again; whereby occasion was given in a drunken brawl to cause the death of Lin Weihe, one of the people of the empire: and whereas, we, the commissioner and the governor, have reiteratedly issued commands to the superintendent Elliot, justly to investigate and take proceeding therein, he has still withstood us, has not received our commands, and has sheltered and failed to deliver up the murderer (acts of contumacy, and of stiff-necked presumption that cannot be surpassed):—Therefore, we the commissioner and the governor have given strict commands to the local officers, civil and military, at every point, by land and

Accusations against the English

by water, faithfully to intercept and wholly to cut off from the English all supplies, that they may be made to fear and to pay the tribute of fealty.

We now find that these English foreigners, though they have one and all left Macao, have yet gone to reside on board the foreign ships at Hongkong, and it is to be apprehended, that, in the extremity of their embarrassment, some may land at the outer villages and hamlets along the coast, forcibly to purchase provisions, or plunder the inhabitants. Against chances of this nature, it is most necessary to take all precautionary and preventive measures.

For this reason, we make proclamation to all the gentry and elders, the shopkeepers and inhabitants of the outer villages and hamlets, along the coast, for their full information. Pay you all obedience hereto; assemble yourselves together for consultation; purchase arms and weapons; join together the stoutest of your villagers, and thus be prepared to defend yourselves. If any of the said foreigners be found going on shore to cause trouble, all and every of the people are permitted to fire upon them, to withstand and drive them back, or to make prisoners of them. They assuredly will never be able, few in number, to oppose the many. Even when they land to take water from the springs, stop their progress, and let them not have it in their power to drink. But so long as the said foreigners do not go on shore, you must not presume to go in boats near to their vessels, causing in other ways disturbance, which will surely draw on you severe investigations.

Taoukwang, 19th year, 7th month, 23d day (August 31st, 1839.)

The scale of bounties published by the magistrate of Heangshan, by the order of Commissioner Lin, probably in June, 1840, constituted the actual throwing down of the gauntlet to England. Lin officially encouraged the Chinese pursuit of English ships with fire rafts, and English heads with knives. In February, 1841, ships and heads became of even greater value. The heads of Captain Elliot, Mr. Morrison (official translator), and Commodore Bremer would have brought $30,000 each in open market.

§7. Scale of bounties for English lives and property

1. For every English 80 gun ship delivered over to government $20,000 bounty; a discount will be made of $100 for each gun less. Whatever articles belong to the ship, except-

ing her armament and opium, will all be given as rewards. For the entire destruction of each large ship of war, $10,000; and something less for smaller ones.

2. For English merchant ships, delivered to government, the entire cargo will be given, excepting the armament and opium,—and a bounty of $10,000 for every large three masted ship; $5,000 for each ship with two masts and a half; and $3,000 for each two masted vessel. For large boats $300, and for small ones $100; and one third of these sums for the entire destruction of these vessels, with $100 from the magistrate.

3. For each naval commander made prisoner, $5,000; and $500 discount on each inferior officer; for their slaughter, one third these sums.

4. For white English prisoners, soldiers or merchants, each $100, and one fifth for their slaughter. For colored people, soldiers or servants, a reward shall be given. And the magistrate will add $20 for each one killed.

5. For native traitors, purchasing opium of foreigners, and who shall be judged guilty of death, $100. Other rewards will be given.

The actual outbreak of the war came on November 3, at Chuenpi, when Captain Smith, of H. M. S. *Volage*, opened fire on a section of the fleet of Admiral Kwan. A contemporary account of the first battle of the war is that of an Englishman, published in the *Singapore Free Press*, of November 28, 1839.

**68. The battle of Chuenpi**

The public press of the country will inform you, that negotiations had been going on between Captain Elliot, her majesty's chief superintendent of trade here, on the one part; and the high commissioner of the emperor of China on the other. You will be, by the same medium, moreover informed, that these negotiations had so far advanced on either side, that the British inhabitants had deemed themselves secure in returning to Macao; when the commissioner thought fit to turn round, break from every previous arrangement, and require such terms, as honor and humanity should forever forbid us for a moment to listen to; and had accompanied such requisition with threats, which his previous acts clearly point out to us, he wants not the will, however deficient he may be in the power, to enforce. These threats consisted in driving away from a neutral territory such British inhabitants as dared to remain there—the Portuguese territory of Macao. To fulfil which, 800 Chinese troops were collected

and encamped at the Barrier, separating Macao from the Chinese territory. He required, that a man should be handed over, guilty or not, to be put to death in expiation of an unfortunate homicide, which occurred here in July last. He required a recognition on the part of the British government here, of a bond, which it should be necessary that the master and crew of merchant ships trading here should sign—the nature of which bond was, that they, or any of them, should be put to death, and the vessel and property confiscated, should any particle of opium be found on board the ship, and that under such terms, they should proceed to Whampoa to trade; having previously submitted to such search as he might order; and in case of non-compliance with these orders, he stated that unless the ships left the country within three days, measures should be taken for their destruction by fire. . . .

. . . Saturday, the 2d of November, her majesty's ships Volage and Hyacinth, anchored off Chuenpe, distant from the Bocca Tigris, the entrance to the Canton river, about seven or eight miles. Captain Elliot the superintendent of trade, went up in the Volage. A letter was dispatched by Captain Smith of the Volage to the Chinese admiral, with an enclosure for Lin, the imperial high commissioner, requiring him to withdraw his chop threatening the annihilation of the British fleet, and also to allow the British inhabitants to remain unmolested at Macao, until such time as the two governments might arrange the larger questions at issue. The letter was taken on board the admiral's ship, which was lying below the Bocca forts, with from 30 to 40 war junks, by a commissioned officer of the Volage. . . . They were received politely by the admiral, who took the letter, and stated that an answer should be sent on the morrow.* While this was going forward, we observed the Chinese fleet to be getting under way, and standing towards us . . . and both the Queen's ships rapidly weighed anchor, and were under commanding sail. The messengers were again dispatched with the original letter, and as the movement of the fleet could be taken as nothing less than a hostile demonstration, a letter was sent to the admiral peremptorily requiring him to return to his usual anchorage. To this he quickly replied that no terms could be maintained until the homicide was delivered over to the Chinese. . . . The junks picked up a berth in line, along the line of coast, stretching to the southward from Chuenpe point. The number of war-junks here anchored was 16; and they had outside

*The next morning the letter to the admiral was returned apparently untouched [Ed. note].

of them, that is between themselves and H. M. ships, 13 vessels as fire-rafts, each with a black flag flying. . . .

The first vessel to receive our fire was one of their fire-rafts; we threw a few shot upon her in passing, and in a few seconds observed her to settle in the water, and almost immediately go down. One of the war-junks was now on the beam of the Volage, and fired a couple of guns at her, which passed over. These we immediately returned, several of the shot telling on the junk, and almost instantly we heard an explosion, and on looking round saw through the envelope of the smoke, the fragments of the unfortunate junk, floating as it were in the air. She had blown up. When the smoke cleared somewhat off, out of whatever number she might have had on board, we could see but three about the wreck. When blown up she was not distant from the Volage more than fifty yards. Pieces of the wreck fell on board, and the cover of the pinnace was set on fire. A boat was sent to save what offered on the wreck—but was fired at by the Chinese, and returned. The Hyacinth came in astern of the Volage, passed her, and got among the denser part of the junks. And an awful warning they must have had from her, of her force! The firing was now indiscriminate upon any vessel where the guns would tell, and the admiral got his full share; more particularly from the Hyacinth, she being further to the northward, and nearer to him. Vast destruction of life not being so much the object, as a wholesome chastisement, the Volage kept more to the southward, to prevent the junks escaping in that direction, and drive them back to the anchorage, to which in the morning they had declined to go; but towards which by this time, they were all too glad to get, by every means in their power. The first shot or two, was the signal to many of them to be off, but the admiral and a few others kept their station longer, firing with more spirit than we had been generally led to expect. Their guns and powder must have been good from the distance they carried, but not being fitted for elevation or depression, all their shot were too high to have any effect, except on the spars and rigging. The Volage got some shot through her sails, and the Hyacinth was a good deal cut up in her rigging and spars; a twelve pound shot lodged in her mizen mast, and one went through her main-yard, requiring it to be secured. Their wretched gunnery hurt no one. The firing commenced about twelve, and at one, they were all sunk, dispersed, or flying. About one the Hyacinth was ranging up alongside the admiral, and would soon have sunk him. The chastisement was already severe, and she was recalled.

The result of the whole was, three junks sunk, one blown up, many deserted, and the rest flying. The last that was

seen of the admiral's junk, she was standing in for the land, and apparently settling in the water. But those on board would reach the shore. It is to be hoped the lesson they have had has not been given them in vain. The ships moved to Macao for the security of the defenseless inhabitants there.

When the proclamation of Lin and Tang, given above, became known to Captain Elliot he gave orders to Captain Smith, of the *Volage*, to establish a blockade of the port of Canton. This took place on September 11, and is considered as "the first overt act by which a hostile relation with the imperial government was acknowledged."

On June 21, 1840, Commodore Sir Gordon Bremer arrived at Macao with reenforcements for the British fleet. On the next day, he issued a proclamation closing all the entrances to Canton.

69. English blockade of Canton

*Public notice of blockade of the river and port of Canton*, by Sir James John Gordon Bremer, Knt. C. B. K. C. H., commodore of the first class, and commander-in-chief of her Britannic Majesty's ships and vessels of war, employed and to be employed on the East India station and seas adjacent. In pursuance of the commands of her Britannic Majesty's government, I do hereby give notice that a blockade of the river and port of Canton by all its entrances will be established on and after the 28th instant. Given under my hand on board her Britannic Majesty's ship the Wellesley, in Macao Roads, this twenty-second day of June, 1840.

(Signed) J. J. Gordon Bremer

By command of the commander-in-chief, Wm. Dyer,—*Secretary*.

Three days after the above announcement, on June 25, Captain Elliot issued from Macao an explanatory document directed to the Chinese people. In this he attempts to draw a distinction between the people of the country and their rulers. This move, strategic and humanitarian in its inception, is more likely to succeed, and did succeed in the case at issue, in China than in European countries. Whether it was a result of the logic

of the document or not the English received great aid from the people at various times and places during the progress of the struggle.

**70. Captain Elliot's appeal to the people**

The high officers, Lin and Tăng, having visited the English superintendent, and people at Canton, with perfidious violence, in contemptuous disregard of the imperial command that they should be treated with justice and moderation, and having shamefully deceived the emperor with false reports, it has been determined by the gracious sovereign of England, to send royally appointed officers to the coasts of China, to the end that the truth may be made manifest to his imperial majesty, and lasting peace and honorable trade firmly established.

This notice is to declare that the queen of England, venerating the emperor and tenderly cherishing the good and peaceful inhabitants of the land, has strictly commanded that their persons and property should be rigidly respected whilst they are opposing no resistance to her majesty's arms. Let them therefore bring their supplies and commodities to the several stations of the British forces without fear, in the certainty that they will receive kind protection, and just payment. The high officers, Lin and Tăng, having by false representations drawn from the emperor orders for the discontinuance of honorable British trade (to the deep injury of tens of thousands of just men, native as well as foreign), the commander-in-chief of the English sea forces has now to declare by the command of the queen of England, that no native vessel will be allowed to pass in or out of the said port, and others, hereafter to be named, till the British trade shall proceed without obstruction at points to be indicated by the commander-in-chief, and until further notice under his seal of office. But fishing craft will be allowed to pass in and out of the port of Canton, without obstruction in the hours of daylight, and the native trading vessels of the outside cities and villages are permitted to pass to and fro, and to resort for purposes of mutual exchange to the station of the British shipping.

(Signed) CHARLES ELLIOT.

### *Section 18. Events During the War*

In his instructions to the plenipotentiaries, Admiral the Honorable George Elliot and his cousin Captain Charles Elliot, Lord Palmerston under date of February 20, 1840 refers to three copies of a letter being sent by him

to "the Minister of the Emperor of China." This was to be translated into Chinese, and it was ordered that one copy should be sent to the governor of Canton, another on shore near the mouth of the Yangtze river, and the third from the shore near the mouth of the Peiho: all three copies to be forwarded by their recipients to the north.

On July 5, 1840, the British attacked and occupied Tinghae, the capital of the Chusan archipelago. Captain Elliot now attempted to send a copy of Lord Palmerston's letter to the governor of Chekiang, by means of a native junk. The governor reported to Peking in a document which is of value as showing the attitude of the officials at the outset of the struggle.

71. Thoughts and plans of the governor of Chekiang in 1840

Full of crafty schemes, the rebels detained a merchant junk, and forced the master to deliver a letter from a pretended minister of their country, in which he wants us to supplicate the court in their behalf for trade. Their designs being unfathomable, the original was rejected (a copy being taken), while we redoubled our precautions. The port is now closed, and the English barbarians have retired.

I have requested a former naval commander on the Chusan station to take the necessary measures for recovering the island. He will for this purpose proceed thither in disguise, and make himself aquainted with the position of the enemy. These will of course divide their forces to occupy the most important passes; and our soldiers, when duly increased, may then fall upon them in the city, and repossess themselves of it. We must also provide a navy to prevent their proceeding to other places on the coast. The people of this province are not adapted to such service; but the natives of Fukien and Kuangtung, who have repeatedly obtained victories over them,* will make excellent sailors, and inspire them with awe. I am therefore emboldened to entreat your majesty to order 2,000 mariners from the latter province to enable us to exterminate the enemy.

The censors formed a class privileged to criticize and advise the emperor and his ministers. Upon the

* When? [Satirical question asked by Sir John Davis.—Ed. note.]

knowledge of the capture of Tinghae becoming general, one of them memorialized the emperor on the subject of the English invaders and how to repulse them. "It is," as Sir John Davis remarked, "a strange compound of ignorance and natural shrewdness."

**72. A censor's memorial on the English barbarians**

The English barbarians are an insignificant and detestable race, trusting entirely to their strong ships and large guns; but the immense distance they have traversed will render the arrival of seasonable supplies impossible, and their soldiers, after a single defeat, being deprived of provisions, will become dispirited and lost. Though it is very true that their guns are destructive, still in the attack of our harbors they will be too elevated, and their aim moreover rendered unsteady by the waves; while we in our forts, with larger pieces, can more steadily return the fire. Notwithstanding the riches of their government, the people are poor, and unable to contribute to the expenses of an army at such a distance. Granted that their vessels are their homes, and that in them they defy wind and weather, still they require a great draft of water; and, since our coasts are beset with shoals, they will certainly, without the aid of native pilots, run ashore, without approaching very closely. Though waterproof their ships are not fireproof, and we may therefore easily burn them. The crews will not be able to withstand the ravages of our climate, and surely waste away by degrees; and to fight on shore, their soldiers possess not sufficient activity.* Without, therefore, despising the enemy, we have no cause to fear them. While guarding the approaches to the interior, and removing to the coast the largest guns, to give their ships a terrific reception, we should at the same time keep vessels filled with brushwood, oil, saltpetre, and sulphur, in readiness to let them drive, under the direction of our marine, with wind and tide against their shipping. When once on fire, we may open our batteries upon them, display the celestial terror, and exterminate them without the loss of a single life.

Commissioner Lin had tried the "blood and iron" policy and failed. He was retired from the High Commissionership, to be succeeded by Kishen, a personal

* The emperor was assured that the English soldiers were buttoned up so tight, that, if once down, they could never get up again. (Davis.)

friend of the emperor Tao Kuang. Kishen was viceroy of Chihli when Admiral Elliot and Captain Elliot arrived in the Gulf of Pechihli and anchored off the mouth of the Peiho. On August 15 the third copy of Lord Palmerston's letter was received by a representative of Kishen. On the thirtieth Captain Elliot went ashore to interview the viceroy. Kishen succeeded in carrying out the old policy of removing the foreigners as far as possible from Peking, and it was arranged that negotiations should again be taken up at Canton. Lin now became viceroy of Canton and Kishen became High Commissioner, his official entry into the city occurring on November 26, 1840.

73. Account of Kishen and his methods of dealing with the English

At that time, the person who swayed the emperor's councils at Peking was Keshen, a very remarkable character. By birth a Manchow Tartar, he had been brought up at the court and possessing by nature a handsome exterior,* and the most insinuating manners joined to great talents, his fortune was made from the very first. He distinguished himself in letters, passed through the various grades, and attained to important employ near the emperor's person. When sent into the provinces, he proved his devotion to the court and his employer especially, and became, as early as 1831, governor of Pechele, the province of the capital. Being somewhat in advance of his countrymen, he joined, what in China at least may be styled, the *hazardous* love of improvements to his other accomplishments; and accordingly, while his suavity made him many friends, and his power many flatterers, his interference with every branch of administration created him some enemies. But, as long as he had the personal friendship of the emperor, he could afford to despise them all.

Like the celebrated favourite of an English despot, his covetousness was as grasping as his ambition; and, in a comparatively short period of years, he amassed an almost fabulous amount of wealth, which in the end served only as a weight to sink him. Peculation, bribes, confiscation, exorbitant interest on capital, and enormous speculations in the government

* "*Kishen*, quoique âgé d'une soixantaine d'annees, nous parut plein de force et de vigueur. Sa figure est, sans contredit, la plus noble, la plus gracieuse, et la plus spirituelle que nous ayons jamais rencontrée parmi les Chinois."—M. Huc Souvenirs d'un Voyage, &c.

monopoly of salt, all helped to fill his coffers, and to make him the richest subject of China.

The freight, however, which in the end contributed to sink his vessel, served for some time to steady it, and, with his native sagacity, gave a prudence and moderation to his views and policy regarding the quarrel with England, which contrasted strongly with the frantic delirations of Commissioner Lin. As the latter brought the war upon his country, so Keshen would probably have averted it, had his counsel been followed as to opium. In a paper which he, among many others, presented on the subject, he was against all violent measures towards natives or foreigners; a strict guard along the coast, the exertion of local authorities to prevent the importation and use of the drug, and the execution of the penal laws, appeared to him sufficient. He remained, however, on this point in the minority of the council, and, when he heard of Lin's proceedings in the south, predicted the consequences.

It was to this, probably, and to the personal confidence of the emperor, that, when the British squadron appeared at the mouth of the Peiho,* he owed the appointment of negotiator, to himself so disastrous in its results. If conciliation was required, the choice could not have fallen on a fitter person. His great tact, his imperturbable suavity, and perfect command of temper, were extraordinary. He could exchange fair phrases, protract discussions, and make promises innumerable, without keeping one; and though the catastrophe of war became inevitable, he certainly postponed it much longer than could have been expected. He pledged himself to remove the unwelcome presence of the British squadron from the neighbourhood of Pekng, and to transfer negotiations to a quarter where he was sure that they would come to nothing; in fact, to weary out his opponents by delay, and make them accept any terms that the emperor might dictate. His design, after he had ascertained the serious nature of the impending collision, to stave it off by conciliation and compromise, was misinterrupted by his enemies of the war party, who denounced him as a traitor.

**Foreign writings "edited" for the imperial eye**

It would appear that Keshen never made very correct reports of his intentions in negotiation, nor of the public despatches of the British minister. It might have been treason to repeat the language of the last in an ungarbled translation. Instead, therefore, of a letter from the Foreign Office, the negotiators themselves were made to say, "We have received orders from our government to complain to your honorable nation of the injuries suffered by our represent-

*In August, 1840 [Ed. note].

ative and the English merchants at the hands of the great officers of Canton. Our naval and military force being large, we have had to find a place for sheltering our ships and quartering our troops. The high officers of the provinces not only shut up the ports, but refused to forward our representations to the court. Hence we have been obliged to occupy Chusan. Commissioner Lin surrounded all the Europeans at Canton with his soldiers, allowed no intercourse, and deprived them of the necessaries of life until the opium on board the ships was delivered up, in default of which they were to suffer death. But some of the opium was taken even from vessels outside the port, the commissioner having forced the owners by hunger and threats of death to give up all. He then insisted on a bond, making those on board any vessels which brought opium to China liable to the penalty of death; but the superintendent and merchants all refused to consent to this bond, upon which Lin and the governor Teng Tajin shut the ports to our commerce, at a time when the debts of the Hong merchants to our people amounted to several millions." This was prepared by Keshen from the substance of the conversations which passed at the interviews.

The reply received by the Chinese minister from the emperor was to this effect. "We appointed Lin and Teng to manage the subject of opium at Canton; but after the lapse of two years, instead of annihilating the traffic, they have caused the barbarians to repair to the vicinity of the capital. What state of things is this? The said officers have injured the state and nation, and mismanaged their affairs. The proper board has adjudged them worthy of degradation, and they must appear and answer an investigation at Canton."

The month of December was spent by Kishen in negotiations with Captain Elliot (Admiral Elliot having retired at the end of November on account of severe illness) who hoped to avoid as much bloodshed as possible but who realized that the outlying difficulties must be settled. Elliot demanded the cession of Hongkong, and on account of this negotiations ceased.

On January 6, 1841, an edict was discovered "consigning to destruction all British ships and subjects" everywhere found. The British answered this by attacking and occupying the batteries at Chuenpi and Taikoktow on the outside entrance to the Bogue. The Chuenpi batteries had seventy-two guns and those at Taikoktow twenty-six.

EMPEROR TAO KUANG

**74. Effect upon Tao Kuang of the capture of Chusan**

The consternation at Peking on the capture of Chuenpee was great, and no less than three documents emanated from the emperor on the same day. In the second, "Keshen," he observes, "entrusted as he is with such important affairs, in the face of the haughty and outrageous conduct of the barbarians, has done nothing to resist them. The real views of those enemies are now known; to treat with them reasonably is out of the question. Let them be visited with the national wrath. For this purpose we have directed the troops of various provinces to advance to Canton and maintain themselves in that city. Keshen and the Admiral Kwan are to be severely punished." A third paper showed the exasperation of the emperor's mind. "They have attacked, wounded, and killed our officers and soldiers at Chuenpee. To manifest the visitation of heaven, and set a just value on the lives of the people, we will sweep the barbarians from the face of the earth. For this purpose the army will retake Tinghae; and Keshen is directed to arouse the patriotism of the nation, sending the heads of the rebellious barbarians to Peking in baskets."

It was at the precise moment that the emperor was voicing his indignation over the loss of Chuenpi that the new High Commissioner, Kishen, was concluding with Elliot the Convention of Chuenpi, the announcement of which was made by the English Plenipotentiary on January 20, 1841. In the announcement was incorporated an expression of the policy laid down by Lord Palmerston in the conclusion of his directions to the two Plenipotentiaries of February 20, 1840: "You will bear in mind that Her Majesty's Government do not desire to obtain for British Subjects any exclusive privileges of Trade, which should not be equally extended to the Subjects of every other Power." The point to be noted here is not that such a policy was announced, but that it has been carried out to the present time.

75. The Chuenpi convention, January 20, 1841

Her Majesty's plenipotentiary has now to announce the conclusion of preliminary arrangements between the Imperial commissioner and himself involving the following conditions:

1. The cession of the island and harbor of Hongkong to the British crown. All just charges and duties to the empire upon the commerce carried on there to be paid as if the trade were conducted at Whampoa.

2. An indemnity to the British government of six millions of dollars, one million payable at once, and the remainder in equal annual instalments ending in 1846.

3. Direct official intercourse between the countries upon equal footing.

4. The trade of the port of Canton to be opened within ten days after the Chinese new-year, and to be carried on at Whampoa till further arrangements are practicable at the new settlement.

Kishen was not alone a man of peace but also one of sense. No chauvinistic "patriotism" or pride blinded him to the strength of the English forces or the weakness and ineffectiveness of those of his own country at the time. While negotiations were pending, he sent a memorial to the emperor in which he reviewed the defenses

of Canton and referred to a few of the difficulties with which he was beset in the south. This state paper was sent north early in February, 1841. It is a splendid example of such a memorial, and merits careful perusal.

**76. Kishen's memorial on the state of the defense of Canton, February, 1841**

Your majesty's slave, Keshen, minister of the Inner Council, and acting governor of the two Kwang,—kneeling, presents this respectful memorial,—setting forth how that the English foreigners have despatched a person to Chekeang province to deliver back Tinghae,—how that they have restored to us the forts of Shakok and Taikok, in the province of Kwangtung, along with the vessels of war and salt-junks which they had previously captured, all which have been duly received back,—and how that the warships of these foreigners have already retired to the outer waters:—all these facts, along with his observations upon the military position of the country, its means of offence and defence, the quality of its soldiery, and the disposition of its people, observations resulting from personal investigation,—he now lays before your imperial majesty, praying that a sacred glance may be bestowed upon the same.

Previously to the receipt of your majesty's sovereign commands, your slave had, with a view to preserve the territory and the lives of the people, ventured,—rashly and forgetful of his ignorance,—to make certain conditional concessions to the English foreigners, promising that he would earnestly implore in their behalf a gracious manifestation of imperial goodness. Yet, having done this, he repeatedly laid before your majesty the acknowledgment of his offence, for which he desired to receive severe punishment. It was subsequently thereto, on the 20th of January, 1841, that he received, through the General Council, the following imperial edict.

**An imperial edict**

"Keshen has handed up to us a report on the measures he is taking in regard to the English foreigners, under the present condition of circumstances. As these foreigners have shown themselves so unreasonable that all our commands are lost upon them, it behoves us immediately to make of them a most dreadful example of severity. Orders have now been given that, with the utmost speed, there be furnished from the several provinces of Hoonan, Szechuen, and Kweichow, 4,000 troops, to repair, without loss of time, to Canton, and there to hold themselves under orders for service. Let Keshen, availing himself of the assistance of Lin Tsihseu, and Tang Tingching, take the necessary measures for the due furtherance of the object in view. And if these rebellious foreigners dare to approach the shores of our rivers, let him

adopt such measures as circumstances shall point out for their extermination. . . ."

With respect, your slave, humbly, upon his knees, has heard these commands. He would remark, that, while indeed he had made certain conditional concessions to the English, these amounted to nothing more than that he would lay their case before your majesty; and thus in the article of trade, though it was expressly said, that they desired the trade to be opened within the first decade of the first month of this year (23d Jan. to 1st Feb.), he still has not, up to this time, ventured to declare it open. Yet have these foreigners, nevertheless sent a letter, in which they restore to us the forts Shakok and Taikok, along with all the vessels of war and the salt-junks which they had previously captured; and, at one and the same time, they despatched a foreign officer by sea to Chekeang, to cause the withdrawal of their troops, and have given to your slave a foreign document which he has forwarded to Elepoo, at the rate of 600 *le* a day by virtue whereof he may receive back Tinghae;—conduct, this, which on their part shows a more meek and compliant disposition than they have evinced before. But alas! your slave is a man of dull understanding and poor capacity, and in his arrangement of these things, he has not had the happiness to meet the sacred wishes of his sovereign. Trembling from limb to limb how shall he find words to express himself! He humbly remembers that in his own person he has received the imperial bounty. Nor is his conscience hardened. How then should he, while engaged in the important work of curbing these unruly foreigners, presume to shrink from danger or to court unlawful repose! So far from thus acting, he has, from the moment he arrived in Canton until now, been harassed by the perverse craftiness of these presumptuous foreigners, who have shown themselves every way obstinate and impracticable,—yea, till head has ached, and heart has rent, with pain, and with the anxiety, ere even a morning meal, quickly to exterminate these rebels. Had he but the smallest point whereon to maintain his ground in contest with them, he would immediately report it, and under the imperial auspices make known to them the vengeance of heaven. But circumstances are, alas! opposed to the wishes of his heart. This condition of circumstances he has repeatedly brought before the imperial eye, in a series of successive memorials. . . .*

Rate of dispatch, 200 miles a day

*Reference is here made to Keshen's departure from Canton on January 25, 1841, for the purpose of inspecting the river fortifications; and to a conference with Captain Elliot, the results of which were later to be reported to the Emperor [Ed. note].

He now found that the Szetsze waters were yet distant from the Bocca Tigris about 60 *le* (or nearly 20 miles). Even there, the sea is vast and wide, with boisterous waves and foaming billows, lashed up into fury by fierce winds. Majestically grand! How widely different the outer seas are from our inland river-water!—Having changed his boat for a sea-going vessel, your slave stood out for the Bocca Tigris; and there arrived, he made a most careful inspection of every fort and battery in the place.

Such *forts* as did not tand completely isolated in the midst of the sea, he yet found to have channels, affording ready water communication, behind the hills on which they were situated. . . . It is then clear, that we have no defences worthy to be called such. This is, in truth, the local character of the country —that there is no important point of defence by which the whole may be maintained.

Poor position of forts

In reference to the *guns* mounted in the forts, their number does not exceed some two hundred and odd, hardly enough to fortify the fronts alone, while the sides are altogether unfurnished. Moreover, those guns that are in good order, ready for use, are not many. The original model has been bad, and they have been made without any due regard to principles of construction. . . . These are the proofs of the inefficiency of our military armament, which is such that no reliance can be placed upon it.

Forts improperly fortified

Further, with reference to the *quality of our troops:* we find that the only way to repel the foreigners is by fighting them at sea, but to fight at sea it is necessary to have a good marine force. Now, we have at present to acknowledge the forethought and care of your majesty, in despatching land forces from the several provinces to Canton: but these troops, before they can meet the foreigners in battle, will require to embark in ships of war and proceed to the outer waters. Though the objection be not maintained, that, being, unaccustomed to the seas and waves, they needs must meet with disaster and overthrow; yet, seeing that the conduct and management of the vessels is a thing with which they are quite unacquainted, the services of the naval forces cannot still at all be dispensed with. The recruits to the naval force of this province are, however, all supplied by its own sea-coast, by encouraged enlistment; and their quality is very irregular. Your slave had heard a report that, after the battle upon the 7th of January, all these men went to their *tetuh* (or commander-in-chief) demanding of him money, under threats that they would otherwise immediately disband. The other day, therefore, when on the spot, your slave made inquiries of the *tetuh* on this matter,—when he answered, that the report was perfectly true, and that he, having no

Poor quality of troops

other remedy at hand, was obliged to pawn his clothes and other things, by which means he was enabled to give each of them a bonus of two dollars, and thus only could get them to remain until now at their posts.* Hereby may be seen, in a great measure, the character of the Canton soldiery. And, supposing when we had joined battle, just at the most critical moment, these marine forces were not to stand firm, the consequences would be most disastrous. For although we should have our veteran troops serving with them, yet these would have no opportunity of bringing their skill into play. Still further, our ships of war are not large and strong, and it is difficult to mount heavy guns on board them. By these observations, it is evident, that our force here as a guard and defence against the foreigners is utterly insufficient.

Criticism of the Cantonese people

Your slave has also made personal observation of the character and *disposition of the people* of this province. He has found them ungrateful and avaricious. Putting out of view those who are actual traitors, and of whom, therefore, it is unnecessary to say anything, the rest dwell indiscriminately with foreigners, they are accustomed to see them day by day, and after living many years together, the utmost intimacy has grown up between them. . . . These plain evidences of the want of firmness on the part of the people here, give us still more cause for anxiety.

If China could not suppress her own pirates, can she conquer the English?

We find, on turning over the records of the past, that, when operations were being carried on against the pirates of this province, although these were only so many thieves and robbers, with native vessels, and guns of native casting, yet the affair was lengthened out for several years; and was only put an end to by invitations to lay down their arms under promise of security. And it is much to be feared, that the "wasp's sting is far more poisonous" now than then.

Your slave has again revolved the matter in his anxious mind. The consequences, in so far as they relate to his own person, are trifling; but as they regard the stability of the government, and the lives of the people, they are vast, and extend to distant posterity. Should he incur guilt in giving battle when unable to command a victory, or should he be criminal in making such arrangements as do not meet the gracious approbation of his sovereign,—he must equally bear his offence; and, for his life, what is *it*, that he should be cared for or pitied!

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*Bernard in his *Voyages of the Nemeses* has the following note: "This was on more than one occasion the case during the war. Soldiers were often found among the killed and wounded, each having two dollars on their persons, and on one occasion even six dollars." [Ed. note.]

But if it be in not acting so as to meet the gracious approbation of his sovereign that he becomes guilty,—the province and the people have yet their sacred sovereign to look to and rely upon for happiness, protection, justice, and peace. Whereas, if his guilt should lie in giving battle when unable to command a victory, then will the celestial dignity of the throne be sullied, the lives of the people sacrificed, and for further proceedings and arrangement it will be, in an increased degree, impossible to find resource.

Entertaining these views, a council has been held of all the officers in the city; namely, the general and lieutenant-generals of the garrison, the lieutenant-governor, the literary chancellor, and the commissioners, intendants, prefects, and magistrates, as also the late governors, Lin Tsihseu and Tang Tingching; all of whom agree that our defences are such as it is impossible to trust to, and that our troops would not hold their ground on the field of battle. Moreover, the troops ordered from the different provinces by your majesty having yet a long journey to come, time is still necessary for their arrival; nor can they all arrive together. The assemblage of a large body of troops, too, is a thing not to be effected without sundry rumours flying about,—our native traitors are sure to give information; and the said foreigners will previously let loose their contumacious and violent dispositions. Your slave is so worried by grief and vexation, that he loathes his food, and sleep has forsaken his eyelids. But, for the above-cited reasons, he does not shrink from the heavy responsibility he is incurring, in submitting all these facts, the results of personal investigation, to your celestial majesty. And, at the same time he presents for perusal the letter of the said foreigners, wherein they make the various restorations before enumerated. He humbly hopes his sacred sovereign will with pity look down upon the blackhaired flock—his people,—and will be graciously pleased to grant favours beyond measure, by acceding to the requests now made. Thus shall we be spared the calamity of having our people and land burnt to ashes, and thus shall we lay the foundation of victory, by binding and curbing the foreigners now, while preparing to have the power of cutting them off at some future period.

It is humbly hoped that your sacred majesty will condescend to inquire regarding the meeting in council, and state of circumstances, here reported. And your slave begs, that a minister of eminence may be specially despatched hither, to re-investigate matters. Your slave has been actuated entirely by a regard to the safety of the land and the people. He is not swayed by the smallest particle of fear; and still less dare he use false pretexts, or glozing statements. For

the real purposes herein declared, he humbly makes this report (which he forwards by express at the rate of 600 *le** a day),—in the hope that it might be honoured with a sacred glance.—A most respectful memorial.

Although the Chinese could not cope with the English, as had been proved time and again, they were nevertheless unceasingly hostile. Overweening pride in the past blinded them to their present weakness. Lack of information of the power behind the few ships and soldiers from the West which appeared off their shores rendered it quite impossible for them to appreciate the position into which they had worked themselves. The arguments in the paper given below are, says Sir John Davis, "quite unanswerable but for the incorrectness of their premises." The paper is supposed to have been the work of the former commissioner, Lin.

77. A consideration of the desirability and the methods of making peace

Though we may dread the fierceness of these English barbarians, we ought not to listen to any proposals of peace, looking only to the present, and casting aside all regard to the future. To come to an accommodation with them now, would be only adding fuel to a fire which we should rather extinguish for ever. For more than a century our dynasty has extended its power in every direction, subjecting even the Mahomedans, and exercising its sway in the pacification of the Ghorkas. Should we then accede to any proposals to yield up even an inch of territory? We did not act thus with the Mongols and the people of Turkistan, who all in their turn had to become our tributaries. Are the English braver than the Mongols, and is not our Empire far more powerful than when these were subjected to its sway? Though it may be the most advantageous to the English commerce to enter into a treaty, it is our duty to fight to the last. Never let it be said that the Central Empire sought for peace in a cowardly and unadvised manner. Remember that in giving the barbarians territory they will erect cities, make our subjects their own, encroach on our revenues, erect churches, call the land their own, and thus profit by our weakness. They wish to coerce us into measures by military strength; they invade our country, rob our goods, and excite fears

The Mongols are brave:

*I. e., *ca.* 200 English miles [Ed. note].

in our government, solely to force us to receive their commands. Let us, therefore, not listen to their conciliatory overtures in restoring Chuenpee and Chusan. It is due to the majesty of our empire to declare to the 'Foreign eye'* that, unless he yield on a certain day, he shall be beheaded. The restoration of those places is nothing to the point, for it cannot revive our troops who fell bravely fighting in the struggle; it can never repair the evil caused by his violence.

Why should the English be feared?

What are the English, that we should so much fear them? It is true that they have gradually taken possession of Calcutta, Madras, and other parts. They even conquered Java for a time from the Hollanders, fixed themselves at Malacca, and opened a port in the Straits. This, however, only shows that they are insatiable, but not invincible. We still remember the pride with which their ambassador (Lord Amherst) appeared in the reign of Keaking, at the capital. Since then, they have made themselves acquainted with all the particulars of our country, and hence it was easy for them to occupy Chusan. They would not, however, be satisfied with this possession, but pursue their plan of aggrandisement, as the Russians at Peking told us they would. To cede to them territory under such circumstances would be to reward robbers and give license to criminals.

The reason for war

The present contest arose from nothing but the desire on our part to extinguish opium smuggling, and thus prevent the exportation of silver.† If, therefore, we now grant them territory for the sake of peace, this will be only giving fresh vigour to the traffic, and bringing the empire to ruin. It is much better to fight to the last than wait our destruction with folded hands. While they carry on this trade they derive great wealth from the drug, and are thus enabled to continue their operations. We, on our part, keep only on the defensive, collect large numbers of troops, and incur great expenses: ignorant of the place where we are to be attacked, we have to keep a considerable army always ready to combat the enemy. While our soldiers are reduced by alarms and watching, and dwindle away by sickness, they make the ships their home, live there comfortably, and fall upon us whenever it pleases them. This is the consequence of the defensive system carried on hitherto. Including Leaotung (coast of Manchow Tartary) there are seven of our maritime provinces liable to an attack by sea. At each of the ports we have, therefore, to keep up a force at an immense expense, and still cannot

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*I. e., "Headman"—Captain Elliot [Ed. note].

†Special note should be made of the reason given for the opium crusade.

ensure the safety of the country, because we are weak at so many points. But it is not only that we have to fear for the outskirts of the empire:—we apprehend still greater evils. The position which the barbarians took at Chusan being a central one, what was there to hinder their attacking the interior of our realm? There is the broad and wide Yang-tse, on which they can sail as upon the sea; and if they discover the passage, we are in great danger. Though we hope the English may never adopt such a course, it is our business to ponder that they may reach Chin-keang-foo, and threaten Nanking; and who could foretell the consequences? Would not the supply of grain cease? Would not China be separated into two parts? To prove that these apprehensions are not groundless, we have only to refer to the Japanese, who pursued the same course.*

The English objective surmised

To keep on the defensive would, therefore, prove our ruin, and exhaust our resources. To recur to the past, it appears that Kienloong spent on the Mahomedan war 23,100,000 taels and in the Kinchuen war about 67,700,000 taels, which shows their wasteful effects on the treasury. What will be the immense sums required on such an extended line of defence as our coast? We did not thus act when the treaty was concluded with Russia; for instead of waiting for the arrival of their forces, we became ourselves the aggressors, and then forever inspired fear and respect for our empire. Hence our north-western frontier has never been disturbed, and we retain our ascendancy in Tartary. The only prudent course, therefore, is to show a bold front to the English at once.

The Russians are now our friends; their territory is not very far from the English, and joins ours. We should, therefore, spend thirty millions of taels in raising a daring army, and march directly through the Russian country to England. By carrying the war home to them, and occupying their own country, we should forever banish them from our shores. Since the Russians are the enemies of the English, they would support our undertaking, finding us, on our arrival in their country, with guns, and furnishing us with auxiliaries.

Let Europeans fight Europeans

Should this plan be rejected, it may be proposed to assault by water. It is well known that the Ghorkas are ready to attack the English in the rear, and the Cochin-Chinese to assist us, should we ourselves attack them on the water. For this purpose, a fleet might be fitted out, at a cost of about five millions of taels, containing larger crews and heavier guns than the English. With these we might venture to meet them, and the victory would be certain. We might then take possession of Singapore, and anchor in the

*Under the Ming dynasty [Ed. note].

Straits of Sunda, intercepting all their supplies, and capturing their vessels. Thus we should reduce the 'barbarian eye'* to the greatest difficulties, and make him succumb. He would then ask for peace, and humbly submit to our decrees. Being so near to Bengal, we should also be able to stop the export of opium, and thus forever extinguish the traffic.

Let us, therefore, be advised never to conclude a peace: an armistice, a temporary arrangement just for the present, in order to recover from our losses, is all we desire; this once gained, we may act up to the former suggestions. Our maxim should be to attack, to beat, to expel; to arm the whole country against them, to spend all our revenues in the war, but never timidly to wait their coming, and act on the defensive. We must make a bold stand, or otherwise our power and influence, as well as our empire, may be lost; and China would feel the pressure of barbarian superiority. Let us avoid this by employing all the resources at the command of our government. If we scruple to incur so much expense, let it also be remembered that our loss and disgrace, and the silver to be exported for opium, will far exceed the cost to be borne in a war.

Commissioner Kishen's position in Canton was far from an easy one, in spite of the fact that he represented the emperor personally. Ex-Commissioner Lin, as viceroy, had a strong following of irreconcilables who loudly called for war and fiercely denounced the moderation of the High Commissioner. Kishen is here blamed for the continuance of the war, the cause of which is held to be opium. That Kishen should meet and correspond on terms of equality with the despised barbarian was anathema to the conservatives.

78. Chinese criticism of Kishen

For the same reason, we ought not with such facility to permit them to continue their commerce, the stoppage of which would reduce their means in a considerable degree. One condition should never be lost sight of, namely, the bond, by which every English-man who smuggles opium shall suffer capital punishment. Keshen did not even allude to this salutary regulation, but it is our business to maintain it to the last. Let it not be forgotten that the English derive a large revenue from opium, and are thereby enabled to make

* Elliot [Ed. note].

military preparations: the moment we carry our point, and stop the source whence they obtained millions of money, their finances will become deranged, and their means in the same measure hampered. If it be objected that the bond would be a mere empty form, the firm resistance of the 'barbarian eye' to its adoption proves the contrary, and their habitual good faith will make it a sacred obligation. Let us therefore not relax, but insist upon this indispensable condition of reopening the trade. Since the English are so eager for the recommencement of their traffic, let us couple the grant with another stipulation, that they present us with the head of Elliot, the leader in every mischief, the disturber of the peace, the source of all this trouble.

Should we, who received an English tribute bearer under Kienloong,* and sent one away under Keaking,† yield them a territorial possession now, when it was before flatly refused them? This should never be, for it is derogatory to the dignity of the empire, fatal to our peace, and destructive to our best interests as a nation. Let us, therefore, treat them like the Ghorkas, whom we forced to give up their spoil, and never allow the English to retain what they have already taken.

The crime of treating the English as equals

Keshen has granted them the privilege to correspond on equal terms. They were never permitted to write otherwise than through the Hong merchants, as petitioners, and to this they must be brought back. To conclude, we ought to yield none of their demands, but show them that Keshen was a false traitor, and that our government will not acknowledge one of his proceedings. After reducing them to the utmost straits, we might grant permission to trade as the only favour, under the express condition that no opium should be smuggled.

Like many ministers of other despotic rulers Kishen had been destined to rise high that his fall might be the greater. His work in Canton had raised violent opposition as shown above; after the convention of Chuenpi his enemies in the south and those in the north together were able to bring about his ruin. "How great is the presumption and shamelessness of Keshen! Let him be degraded and placed in chains, and brought to the capital

* Lord Macartney [Ed. note].

† Lord Amherst [Ed. note].

under convoy, and let his property be instantly confiscated." This was the command of the hysterical emperor Tao Kuang touching his former friend. On March 12 Kishen left Canton in chains, after having been degraded. His property valued at ten millions sterling was confiscated. "When he reached Peking as a common felon, with a chain round his neck, he could hardly obtain 100 copper coins to feed him in prison." (Davis.) The terms of the treaty of Nanking signed eighteen months later justified the actions of Kishen and he was at length restored to favor.

79. The fall of Kishen

. . . In reality, the proceedings on both sides, between the first conquest of Canton on the 18th of March, and its second surrender under the agreement of ransom upon the 26th of May . . . were evidently temporary expedients on both sides: on that of the Chinese, to gain time for the preparation of more efficient means of resistance, and for relief from immediate "pressure;" on that of their opponents for the completion of the *commercial* transactions of the season.

In truth, had the local authorities been ever so sincere in their expressions of a desire for peace, the remembrance of the fate of the unfortunate Keshen, for even treating with the "rebellious foreigners," might have made them tremble for their lives. The degradation and banishment of Lin were also fresh in their memory; but the following sentence upon Keshen was sufficient to terrify them into the most desperate efforts. It was during this interval that they received the emperor's edict, by which Keshen was declared to be guilty of bribery, and unworthy to live; his temple was to be sealed up, and his whole family put in irons, and carried with him to Pekin, where both he and they with him were [to be]* put to death on the very *day of their arrival*—he by being "cut asunder at the waist," and they by decapitation.

Charges vs. Kishen

The charges preferred against this able and straightforward man, by the Lieutenant Governor of Canton, were of the true Chinese stamp—namely, his having held intercourse with Elliot on equal terms; his having employed traitorous people about him, particularly the late prefect; his having *prevented* the officers and garrisons at the Bogue from doing wonders; and above all, his having put his seal to a document, by which a portion of the empire, namely, the island of Hong Kong, was surrendered.

*Editorial insert.

In proportion as Keshen was really in advance of his own countrymen in his views of their actual political relations with foreigners, so was he precisely a traitor, and unfit to live. How blind are human prejudices! By another edict, dated a few days later than the foregoing, even his more distant relations and those who officially attended upon him, whether great or small, or who in any way appertained to him, or were concerned in the arrangement of affairs with him, were to be *indiscriminately decapitated*. This terrible denunciation, in the exuberance of the emperor's wrath, was enough to alarm the whole nation; but, fortunately, it was not carried into execution to the letter and Keshen's life was spared, though with the loss of every thing that could make it tolerable.

His family to be punished

At the same time, even the three new Commissioners, Yih-shan, Lung-wan, and Yang-fang, of whom the last only was at Canton when the attack took place, were all made to suffer for their ill fortune. They were deprived of various honours previously conferred upon them; and it was even ordered, that every officer of the province of Canton, whether in a high or a subordinate capacity, should be "deprived of his official button until they could make good their delinquencies by efficiency of effort." Even against the rebellious foreigners the Emperor uttered his bitterest imprecations, and swore "that the two powers should not stand together." He ordered all his patriotic troops to advance again, and "utterly exterminate the whole of them; otherwise," says he, "how shall I, the Emperor, be able to answer to the gods, and cherish the hopes of my people?" He further proclaimed, that he had "ordered his own younger brother to lead forth a grand army, fifty thousand strong; and by journeying day and night, to repair to Canton with all haste, to exhibit the vengeance of his race." He threatened *death* to every man who should prove himself a coward; and vowed that "peace should find no place in his heart, nor assume any form in writing;" and with still more desperate energy, he vowed that, if even his own brother "should become tardy in his duties, and listen to any pretension to make *peace*, even I, the Emperor," said his Majesty, "will place my-self at the head of a mighty force, and most uncompromisingly make an end of the English. . . ."

Threats vs the enemy

The Emperor's proclamations to all the maritime districts continued to breathe a spirit of uncompromising war; and the Governor of the province of Chekeang (under whom are the Chusan Islands), the venerable Elepoo, was severely reproved, for having permitted the barbarians to *retire* from Chusan under Keshen's treaty, instead of having advanced to *drive* them out by force, and to effect their destruction.

In the light of the later development of China and the twentieth-century position of Japan it is interesting to note that for a moment China was, perhaps, on the brink of an advance after the First Anglo-Chinese War that might have placed her in a position very different from the one occupied by her three quarters of a century later.

Commissioner Lin, regardless of his judgment, was as true a patriot as any official of the nineteenth century. He attempted to carry out the emperor's orders and to remove a curse from his countrymen ; what he tried to do no one could have done. Unfortunately he was not as partially successful as he might have been had he used different methods. While High Commissioner at Canton he used every method available to learn of foreign countries and their inhabitants. He later published a work during the summer of 1844 under the title of *Statistical Notices of the Kingdoms of the West.* This was in fifty books of twelve volumes.

The essence of the doctrine applied by China in her dealings with foreign nations is formulated and advocated by Lin. China uses pirates to fight pirates and bandits to fight bandits: why should she not use foreigners to fight foreigners?—a very appealing political theory often applied by his country. It had been hoped that France would be unfriendly to England during the war—perhaps, even, the United States and France might be played off by China against England!

**38. Commissioner Lin's plans for China's future**

Let us now, in this time of peace, adopt the superior improvements of barbarians in order to control barbarians with greater effect; as we would before have employed barbarians to fight against barbarians. Three kinds of improvement are required,—a navy, good fire-arms, and a regular army.

The English are now in possession of Hongkong, and proud above all other barbarians. Being wealthy, they

greatly extend their influence. Let us now follow their example, and take up a commanding position in the East. If we establish docks like other nations, construct fast-sailing and good ships, this would certainly answer. We have received great injury from opium; but should we not, on the other hand, reap great advantages from the superior skill of foreigners? Both the French and Americans brought artisans to Canton who could construct ships: should we not employ European seamen to teach us sailing, as we formerly did European astronomers?

Sir John Francis Davis (1795–1890), who has often been referred to in these pages, was one of the most prominent participants in nineteenth-century Anglo-Chinese relations. When a very young man he had accompanied Lord Amherst to China. For many years he was in the service of the East India Company. He is noted as a scholar, a philanthropist, an administrator, and a diplomatist. This being the case, the following excerpt from his account of the First Anglo-Chinese War is of notable interest. In considering a subject such as the present one, it is necessary to present various points of view. This is a very distinct point of view and one to which Sir John Davis refers more than once. In referring to New Tajin, sometime Nanking viceroy, he speaks of that official's precipitate leave from Shanghai at the time of the capture of the Woosung forts, June 16, 1842. "He was a thorough Chinese," remarks Davis, "and . . . vociferous for war while it was absent, but unable to sustain its presence; while the Tartars were generally advocates for peace, though they did their duty in an emergency."

In reading these remarks it may be stated that Sir John Davis's habits of telling the truth and doing his duty as he saw and understood them did not endear him to the British any more than to the Chinese, both of whom he ruled for a time as governor of Hongkong.

81. Comparison of attitudes of Chinese and Manchus during the war

It may here be remarked, that, throughout the war and subsequent pacification, the implacable hostility, the obstinate persistence, and unwillingness to yield a single point were, with only a few exceptions, displayed by the mandarins of *Chinese* extraction; while the moderate advice, and ultimately the peace itself, were the work of Manchow *Tartars*. Lin, the Chinese, and Keshen, the Tartar, were the types of their respective parties.

The Convention of Chuenpi was denounced by both the English and the Chinese government, and preparations soon continued for further war. The emperor appointed three new High Commissioners, Yang Fang, Yishan, and Lungwen, to settle the difficulties with the English. Finally, after fruitless negotiations, the English military and naval forces were moved, on May 17, close to Canton. On the night of the twenty-first the Chinese attacked the English ships. Fighting continued during the next four days.

82. The capture of Canton

The resources of the Chinese seemed endless, and the rapidity with which they erected batteries and field-works was not a little remarkable. It cannot be said that they yielded without first making the most strenuous efforts to defend all the approaches to Canton; and they were rather wanting in skill, and the knowledge of the best mode of applying their abundant resources, than in courage or determination to resist. The Chinese are capable of becoming a formidable enemy; and we cannot forget that, like the Russians, who were once so easily conquered, they may soon learn the art of war from their conquerors, and become formidable from the experience which their first disasters taught them.

During the struggle in and around Canton in May, 1841 the Factories were badly damaged and several were burned. After this they were rebuilt, as was done several times after serious fires. They were not finally destroyed until the city was taken during the Second Anglo-Chinese War.

83. Destruction of the Factories, May 22, 1841

. . . The Chinese mob, meanwhile, finding the factories deserted, and the attention of their own soldiery engrossed with the danger in their front, entered the square in front of the British and American hongs, and began a work of destruction

BOMBARDMENT OF CANTON, 1841

and plunder, which, in a short time, converted the handsome and well-furnished residences of the foreign merchants into a mass of unsightly ruins. Guided, doubtless, by men who had held posts in the establishments of merchants in the factories, the rabble penetrated to the treasuries and cellars of the different wealthy firms which had occupied particular hongs, and finding the hoards of dollars which they had marked as their prey removed, they dashed to pieces, in the fury of their disappointment, everything of value within their reach. Several valuable stores of cloths, woollens, &c., were, however, discovered, and a gang of ruffians soon issued from the square, laden with the rich spoil.

After having been in possession of the factories about two hours, they were dislodged by a strong detachment of Chinese troops, who forthwith completed the work of plunder in which the mob had been interrupted. The handsome hall of the British factory, with its beautiful decorations of pier glasses, pictures, marble flooring, chandeliers, &c., was literally gutted, as also the hall used as a chapel.

On May 27, when the British forces were ready to make a final assault on the city, the authorities concluded a convention with Captain Elliot. By this they agreed

to pay a ransom of six millions of dollars (silver) for the city, pay for the destruction of the Factories, and for certain other damage, and remove all non-Cantonese troops to a distance of sixty miles within six days.

Much blame has been heaped on Captain Elliot for his agreement to accept a ransom and forego the actual taking of the city. Without doubt this did have certain evil results, one of which was to increase the pride of the Cantonese people, who soon forgot the conditions under which the city was saved and remembered only that it had not been taken. But undoubtedly greater evil would have resulted had the city been taken. Captain Elliot chose the lesser of two evils.

**84. Reasons for accepting the ransom of Canton**

But the considerations which influenced Captain Elliot were of great weight, and may be thus stated. The total numerical strength of the force under arms before Canton, on the morning of the 27th May, did not exceed 2200 men of all arms, while within the city there were not less than 20,000 men, after making a very large allowance for exaggerations by the "confidential agents,"—fearful odds to be encountered in the pent-up space of a closely built city, where a knowledge of the localities would have given the Chinese abundant opportunity to molest our troops. Sickness, consequent upon the dreadful weather to which the troops were exposed, as well as disorder from the temptations of plunder and intoxicating liquors, which would have beset them on every side, were also much to be dreaded in any prolonged occupation of the city; and though the avowed confidence of Sir Hugh Gough in the discipline of his officers and men was great and well founded, yet it must be admitted, that his excellency's position *in terrorem*, within an assaulted but yet unconquered city, filled with a rancorous and vindictive populace, and opposed in front by a regular force, and in rear by the armed population of the surrounding villages, would have been a most difficult one to maintain, without the risk of a loss which, with the small force at his command, would have been fatal. It should, moreover, be borne in mind, that in the confusion which a bombardment of the town would have created, all public order must have been overthrown, and in all probability the greater part of the city destroyed by fire, and its treasures plundered by the mob.

It appears now to be generally admitted, that the course pursued by Captain Elliot was, under the circumstances, the

most judicious which could have been adopted. The leaders, and the force generally, were much chagrined at their withdrawal to without the Bocca Tigris, but this was a necessary condition of the ransom of the city of Canton.

The position of Yishan and the other Commissioners was not much more pleasant than Kishen's had been, especially after it became necessary to pay ransom in order to avoid having the city captured. The writing of a memorial to the emperor explaining conditions was a delicate task. Yishan described the situation of the city and the nearness of the barbarian troops and declared that,

85. Yishan's memorial on the fall of Canton

"the space around the city being too narrow for deploying the Chinese forces to repel the enemy, the want of provisions was very soon felt, and, as the approaches were all in possession of the English, no supplies could possibly enter. The loss of the metropolis would have entailed much misery on the province, and given rise to general plundering. Hence it was our duty to retain the whole force within the walls for its defence. Being doubtful what measures should next be adopted, we were assailed by the petition of the people praying for relief. We heard in the meanwhile that the enemy outside had made signs for a parley, and we despatched an officer to ascertain the purport. When questioned by an interpreter respecting their outrages, and their resistance to the empire, it was stated that having been long precluded from carrying on commerce, and unable to obtain an exchange for their goods, they had suffered great losses, and could not pay their debts. While the guns thundered from the walls, they had been unable to make known their wishes, and therefore repaired to the generalissimo to ask his intercession with the great emperor to bestow favors on them, and while their debts were paid, permit them to carry on commerce; in return for which, they would immediately retire and give up the forts. As the Hong merchants made a similar representation, and the people were in favor of such a measure, we resolved to get rid of them by a sum of money as by far the cheapest way. The misery inflicted upon the people was of the severest nature, and no one could foresee the consequences if such a state of things continued; we, therefore, commissioned the prefect Yu to enter into an arrangement to that effect. *But once having got rid of them, and blocked up all the passages leading to Canton, we may again cut off their commerce, and place them in the worst possible position.*"

Plans for the future

Many officials felt the disgrace deeply. One of them wrote as follows:

86. An official's lament on the fall of the city

Here we have had an army of 17,000 men, spent all the money in the treasury, amounting to several millions, brought timber from Kwangse, gunpowder and match-locks from Keangse, and all kinds of warlike implements. Yet we have been utterly worsted; a calamity at which I was stricken with shame, and scarcely dare to express my sentiment in writing. The fortifications, which were planted about like figures on the chessboard, and had served as a sufficient defence to our forefathers, were abandoned by this generation. We dreaded the English as tigers, surrendered our defences, and finally retired into the city to come to a parley. When the enemy's vessels passed spots where store-junks had been sunk, no soldier could be seen to dispute the passage. While numerous Chinese traitors served them as spies, there was not a single barbarian who would inform us of the movements of the English. Hence they were able to sound and discover the depth of water, and surprise us in every quarter. It is inexplicable how we let the opportunity slip of reconquering Hongkong, when all their troops had embarked for Canton, and thus taking them in rear; but nothing was done. The soldiers, stationed to protect the approaches to the northern gates, abandoned their posts like cowards. When the barbarians bombarded the city, and more than a thousand houses of the people were burnt down, the gates were kept open to allow the fugitive soldiers from the forts to enter; but none of the citizens were allowed to retire. Even when the people in multitudes attacked the enemy in the rear, none of our numerous troops dared to make a rally and trouble their front. How easily might Elliot have been seized at the foreigners' quarter; but nobody ventured to do it. When, finally our soldiers were driven into the city, there arose a furious combat with the native militia, and innumerable bodies strewed the streets. All discipline was lost; a confused clamour filled the ways, and everywhere I observed plunder and murder. Several thousands of our soldiers ran away, after loading themselves with robbed goods and then pretended they had lost their road in pursuit of the enemy. On account of these disgraceful events I am quite overwhelmed, and ready to destroy myself; yet it would avail very little. Henceforth we shall be an object of contempt to other nations, *and the native villains will gain strength and oppose the government.*

A prophecy

The ransom of Canton was far from the end of the war. The British government, displeased with Captain

Elliot for his conclusion with Kishen of the Convention of Chuenpi, recalled him and sent Sir Henry Pottinger as his successor. The latter reached Macao on August 10, 1841, after fifty-seven days of actual travel, having come out by way of the "overland route" via Alexandria and Suez.

Sir Henry Pottinger was ordered not to carry on negotiations around Canton, but either near Chusan or off the Peiho. Canton now ceased to be the center of interest. Military operations soon began in and off the coast of Chekiang. Chapu was taken on May 18, 1842. This was the first time that the English and the Manchus met on the field of battle. The work of each army may be said to have astonished the other; the bravery of the Manchus won the admiration of the English.

87. Account of the capture of chapu, May 18 1842

. . . The town was escaladed at its north-east angle without difficulty, but in the meanwhile a body of from three to four hundred Tartar troops, whose retreat through the eastern suburb of the town was cut off, took post in a large temple or Jos-house, where they made a most desperate defence for some hours, killing or wounding several men and officers, Colonel Tomlinson of the 18th being among the killed. The building was at length breached by artillery and burned down, after the greater number of the Tartars had fallen in defending it, and only a few remained to be set at liberty and sent away, much to their surprise, with commendation of their courage.

Bravery of the Manchus

Dr. Gutzlaff entered the Tartar citadel or quarter, in the north-west angle of the town, soon after its capture, and beheld a scene of blood and desolation that was only once subsequently surpassed during the war. The wives and daughters of the Manchows, unwilling to survive the disgrace of their male relations or apprehending the worst treatment from strangers of whom they had always heard so ill, immolated themselves and each other by hanging, drowning, and every other mode of death. The whole place was like a city of the dead. Persuasions and assurances were of no avail, and though the Doctor went about with food and other supplies, and hoped that his exhortations had dissuaded those who remained from following the fearful example of the others, scarcely an individual female was found alive on his return the following morning. Mothers, daughters, and young children lay stretched in all

attitudes of death. An old woman had been prevailed upon by our soldiers on the preceding day not to drown her daughter; but she watched her time, and effected the girl's destruction, and afterwards her own, as soon as left to herself.

Plundering by natives

The Chinese plunderers ransacked with the greatest alacrity and zest the Tartar quarter after its abandonment, but found little of much value there. The Tartar general left a good library in his own language, which was fortunately saved by the captors. When the day was lost, and his encampment in flames, he jumped into the water and so ended his existence. The governor of the town headed the militia and received a very severe wound, of which he died with great constancy under the hands of a British surgeon. The extensive arsenals and powder magazines were totally destroyed by our troops, and a severe blow inflicted on the defences of the place.

Following the capture of Chapu came that of Wusung and Shanghai, on June 16 and 19, respectively. From here the forces moved up the Yangtze river to Chinkiang. Here again the fierce resistance of the Manchu fighters astonished the English but was unable to bring about their defeat. The city fell on July 21, 1842.

88. The capture of Chinkiang, July 21, 1842

. . . On the morning of the 21st of July, the troops disembarked in three brigades, one to escalade the walls at the north-east angle, and the other two, after dispersing the force assembled on some hills to the westward, to attack the city on that side. The excessive heat of the weather tended greatly to aggravate the toils of the day, and the deaths from the effects of the sun were about as numerous as those from the enemy. Whether from surprise, or some other unknown cause, the Tartars allowed our men to scale the wall almost without opposition, but when once there the carnage began. Two or three hours of hard fighting took place, before General Shoedde's column had made its way round the ramparts to the north-west angle, where, soon after their arrival, the gate was blown in by that under Sir Hugh Gough, and all farther opposition seemed to be over. But not yet. A party sent to scour the ramparts by the west, came upon Haeling himself and his faithful band of Tartars, among some houses and gardens. Their volley killed an officer of the 18th and some men, but the force, charging down upon them, bayoneted nearly the whole number. This was the last effort. Haeling retired to his house and deliberately burned himself to death on a pile of wood and official papers, nothing being found of

Suicide of the Tartar general Haeling

him but the skull and the bones of the legs and feet; with his secretary concealed in an outhouse. Had the sort of determination, of which the general gave an example, been of a more active character, and more frequently expended on the field, it would have been of more service to the Chinese cause.

The suicides and domestic immolations here perpetrated exceeded those at Chapoo in extent and barbarity. Numbers of the defeated Tartars hurried home, and after butchering all the females of their family, destroyed themselves. In some cases, the women turned their hands upon each other and their children, drowning, hanging, poisoning, without mercy to themselves or others. The plunder by the rabble was more desperate here than elsewhere, and the city remained a monument of death and desolation. And yet Dr. Gutzlaff says that from his personal observation the marauders were not professional robbers, but the lower order of peasantry and citizens, left without government or control, to exercise the right of "communism," or turn their arms against each other in the contest for the spoil.

Plunder of the city by natives

The bravery of both Chinese and Manchus in the battles of Chapu and Chinkiang is the subject of references of admiration by Captain Granville Loch in his *Closing Events of the Campaign in China*. His conclusions on this subject are of more than ordinary interest.

Throughout the day both the Chinese and Tartar troops evinced a determined bravery, which commanded our respect; and I may safely say that the upper classes, from the first to the last, have shown by their conduct that they cannot brook a defeat; for, although we have captured many a mandarin, we were never able to keep them prisoners for any length of time, they having either starved themselves by refusing to eat food, or otherwise committed suicide.

89. English admiration for Chinese and Manchu bravery

The Chinese have shown many individual instances of conspicuous gallantry; it may be sufficient to remark one in particular that occurred on the ramparts of Chin-kiang-foo. A mandarin led a small party of about thirty men against a company of General Schoedde's advancing column; a volley dispersed his soldiers, but he marched up to the points of the bayonets; and, after firing his matchlock, succeeded in pulling over the ramparts with him two of the grenadiers.

I feel persuaded that, if drilled under English officers, they would prove equal, if not superior, to the Sepoys; they have greater physical power, greater obstinacy, and, consequently, minds that retain impressions with greater tenacity,

and would be slow to lose confidence after it was once built upon the foundation of their vanity.

In his public notification to the "inhabitants of the coast of the province of Canton" in June of 1840 Captain Elliot drew a distinction between the people of China and their rulers. The well-known theory of the Chinese that "each man shall sweep his own doorstep" fitted well with Elliot's plan. It has been a cause of comment more than once in the history of Chinese relations with foreigners that while one section of the country has fought the foreigner another part has been friendly. The case remarked below although unusual is by no means unique.

**90. An anomaly of the war**

. . . It is not a little singular, that while one party of our countrymen were partaking of Chinese hospitality, upon the most friendly terms, in the centre of a considerable town,* the rest were engaged in deadly hostility, fighting for hearth and home, in a city† only a few miles distant. Although the distance from one to the other by the river cannot be less than twelve or thirteen miles, it must be very much less in a direct line by land, as the firing was distinctly heard. This was one of the anomalies of the war; at one place we traded, at another we fought; here we extended the right hand of fellowship, while there we crossed our swords in deadly fight. This was the evident result of making war upon the government, and not upon the people, and of endeavouring to make it fall as heavily as possible upon the former, and as lightly as possible upon the latter. So far from being a *cruel* war, we ought rather to say that it would be impossible to point out any instance of European warfare carried on with so little hardship and so much mercy to the people.

The fall of Chinkiang was the climax and the end of the military operations of the war. This was due to the strategic location of that city on the south bank of the Yangtze River at the intersection of that river and the Grand Canal up which food supplies were sent to

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*Esching.

†Chinkiang.

Peking. An enemy in control of Chinkiang thus throttled the commerce as well as broke off the main lines of communication of the empire.

91. Meaning of the fall of Chinkiang

The great object of the campaign of the Yang-tse-Kiang had thus been accomplished. The empire was severed in two, and the utter incapacity of the government to defend its people, and to avert from them the calamities which their rulers had vainly assured them could never be carried beyond the shores of the maritime districts, had now been amply and fatally demonstrated at a spot, from which, as one of the main foci of communication with the centre of the empire, the dangerous truth must soon radiate, and be understood and discussed in every obscure village community of its remotest provinces.

Shortly after the fall of the town, indeed, letters and dispatches were intercepted in their passage across the river, which proved that the glare of the blazing barracks and arsenals of the devoted city had already dispelled from men's minds some of the darkness in which the prestige of the Mant-chow name had shrouded them. One of these, written by a military commandant from a city near the Hoang-ho, or Yellow River, spoke of the impossibility of detaching more troops to succour the districts of the Yang-tse-Kiang, owing to the turbulent state into which recent inauspicious events had thrown the populace in his own neighbourhood, to overawe whom, the whole of his available force was indispensably necessary. Other missives, written by people residing in the interior, described in vivid terms the distress and consternation which the complete obstruction of their chief line of communication, and the dreaded advance of the British forces, had caused amongst all classes of inhabitants.

The total overthrow of the Tartar troops at Chin-keang, under the command of one of their best generals, a favourite of the sovereign, and who had declared to him his certain anticipation of our discomfiture, must also have proved a severe blow to the pride and obstinacy of the imperial court. The troops opposed to us were all chosen men, from the various legions composing the Tartar army, and the refusal of the commander to permit the inhabitants to remove any portion of their property from the city upon the approach of the British, shows how fully he was aware that the eyes of the people were upon him and his garrison, and that upon the result of this, the first occasion on which resistance *à l'outrance* had been attempted in a fortified town, the issue of the war, and probably the fate of the dynasty which he served, depended.

### *Section 19. Peace Negotiations*

On the rumored approach of the British fleet to the Peiho in the spring of 1842 the emperor appointed his kinsman to the command of Hangchow. Shortly after the fall of Chapu the seal of a High Imperial Commissioner was bestowed upon him.

On August 10, preparations were begun by the English for an attack on Nanking. This city was unprepared to resist, having a garrison of only two thousand Manchus; food was scarce, and the Chinese were dishearteningly indifferent. Ilipu, Niu Kien, and Kiying realized that peace was a necessity and memorialized the emperor to that effect—at the same time requesting their imperial master to punish them severely.

Before going further into this matter it is necessary to know something of the chief peacemaker, Kiying. This sketch of the distinguished statesman is given by Sir John Davis.

92. Sir John Davis's account of Kiying

. . . This was KE-YING, by far the most remarkable person with whom Europeans have ever come in contact in that part of the world.

His training

He was by birth a Manchow Tartar, son of a minister of the preceding emperor, Kea-king; and, entering at a very early period of life into the public service, was appointed commissioner of customs at Shanhae-kwan, on the frontiers of China and Tartary, near the sea or eastern extremity of the great wall. From thence he was called to a subordinate post in the palace, when it was that his intimacy began with the emperor Taoukwang, then a prince, who subsequently married his niece. His talents and other good qualities recommended him to the monarch on his accession, and as early as 1830 he was president of one of the Six boards, and in special charge of the safety of the capital. He was subsequently appointed governor of Leaoutung, the birthplace of the imperial race, in Manchow Tartary; an office of high trust, and given only to those whose fidelity could be relied on. This was his post at the commencement of the war, and from thence he made several propositions respecting the defence of the coast. He had always given his opinion that the war was a ruinous measure, and that Keshen under all the circumstances had

made the best possible convention. He had arrived at Peking just when the news of the advance of the British squadron reached the Court, and people began to fear that its destination was the Peiho. In this dilemma the emperor directed him to proceed and take the command at Hângchow, where he became the colleague of Eleepoo shortly after the fall of Chapoo. On his first arrival he perceived that there was no hope in a continuance of hostilities, and he resolved without any instructions to try the way of peace, and finish, if possible, a struggle which was undermining the throne, and might ultimately prove fatal to the Manchow dynasty. Fortunately for himself, he was supported in these views by most of the great men of Tartar extraction at Peking, while the Chinese remained bigoted to their antiquated notions and opposed his suggestions. The arguments which Keying adduced as to the irresistible power of the invaders, and the impossibility of saving the capital should it be attacked, carried at length conviction with them, and the emperor was prepared to submit to necessity. This change, however, was not effected without great difficulty, and after repeated discussion.

His study of conditions and his conclusions

Keying seemed willing to place his all on the stake at this important crisis, and he at once suggested to Eleepoo the measure of giving up the English prisoners, as this might lead to negotiation. Eleepoo, far more sanguine, though less reasonable, vainly imagined that this sole measure of yielding up the prisoners might stop the advance of the British force, as they had quitted Chusan on a previous occasion. Keying, in writing to Peking, hinted his fears that the next attack might be on Shanghae, a place of the greatest importance on account of its large trade, and at the same time likely to be the first step towards an expedition up the Yangtsekeang.

His great risk

The commission forwarded to Keying on this occasion, after assenting to his views on the present state of things, appointed him Tartar general of Hangchow.

Captain Granville Loch writes on the subject of Kiying as follows:

93. Captain Loch's sketch of Kiying

Ke-ying or Kih-ying, the chief Commissioner, well deserves the gratitude of his country and kindly feeling and respect from us.

A Manchow Tartar of the Imperial kindred, born near the northern frontier of the empire, his profession from youth upwards has been one of arms: in it he rose by bravery and conduct to be generalissimo of the Tartar army. This post with those of Tsung-shin (viceroy) of the province of Kirin, and Se-ang-keun (guardian of the heir apparent), confined him to the court and frontiers, so that he never had an opportunity

of joining in warfare against us, or doing aught besides tendering his counsel, and arranging the necessary supplies and reinforcements.

But at last, plainly perceiving that a true, ungarbled statement of the direful losses of the Chinese had never reached the Imperial ear, he determined to quit his high appointments and repair to the scene of action, to see and faithfully report thereon at every risk.

I believe he reached the province of Kiang-su shortly after Chin-kiang-foo was taken. He had prepared himself to expect a partial stoppage of internal commerce, a stagnation of trade, a certain depression of spirits, and a loss of self-confidence from constant defeat; but he never contemplated the utter paralysation of all energy, the apathetic torpor which had succeeded the first paroxysm of fear and despair, that he met with among the multitudes unhoused both by us and the native banditti. He did not fail to perceive that the principal danger to be apprehended by his countrymen, if the war should continue, was from their own rabble, who had availed themselves of the interruption of all constituted authority, caused by our successes, to assemble from every direction, to enter cities, throw open state prisons, plunder the treasuries, destroy the granaries, and commit every enormity. He saw that unless a speedy peace was concluded the fall of Nanking would be inevitable, and that the safety of the empire itself would become precarious. He thus felt the full necessity of showing his Imperial master the danger in its gloomiest colours, knowing that until he viewed it thus he never would agree to do what he considered the deepest degradation—sue for peace. Ke-ying also knew the great risk that he himself would incur by being the first man to hazard a narration of the truth, but this did not deter him:—he informed the Emperor of all that had been before concealed from him—of what they had to expect from a continued resistence, and transmitted a faithful copy of our demands, including a clear and capital letter from Sir Henry Pottinger, in answer to one from himself sent to Chin-kiang-foo, requesting an interview

Conditions in Kiangsu and Chekiang

Fortunately for his head and the lives of thousands, the Emperor was convinced, and by return of courier he received full powers to associate himself with Elipoo.

His age may be between sixty and seventy: he is a stout, hale, good-humoured-looking old gentleman with a firm step, and upright carriage. At first we were prejudiced against his intellectual endowments, but when business commenced, he threw off his apparent dulness, and became all animation, and evinced considerable shrewdness and observation.

He wore a dark silk dress without embroidery, girded by a yellow belt, the indication of his high birth, and a summer cap with a red opaque ball and peacock's feather.

He was vested with the rank of Imperial Commissioner, with plenary powers:—Kin-chai-peen e ping sze ta chin—literally, "*imperially appointed, convenient, proper to act business, great minister.*"

The fall of Chinkiang and the frank reports of the real state of affairs sent to the emperor by his faithful minister Kiying convinced him that in spite of all his hopes and threats defeat must, for the present at least, be admitted and a treaty signed. Mou-tshang-ha (or Mu Ch'ang-a), the emperor's chief minister, supported the advice of Kiying, and these two ministers are generally recognized as the agents in winning over the emperor to reason. These ministers were, with Kishen, the greatest statesmen of the Tao Kuang period.

94. Tao Kuang's mental struggle in assenting to peace

The Treaty of Nanking was Mu Ch'ang-a's* work, and it served beyond all doubt to postpone for a time the appearance of a British force at the gates of Peking. After the suicide of Wang Ting-lin, there was only one of the Grand Council who opposed Mu's policy, and this in a half-hearted manner.

When the draft of the proposed Treaty of Peace was handed in by Mu, the Emperor took it away with him from the Council. He spent the rest of that day and most of the night in pacing up and down the corridor of his Palace, deep in anxious thought. Several times he was heard to mutter "impossible" and to sigh deeply. At last, at 3 a.m., he stamped his foot and proceeded to the audience chamber, where he affixed the "vermilion pencil" to the draft. This done, he sealed it securely in an envelope and sent it by the hand of a eunuch to the office of the Grand Council. "The Councillors have not arrived," said the eunuch, "the Palace gates are still closed." "Wait there," replied Tao Kuang, "until Mu Ch'ang-a arrives. Give him this envelope but don't let any one else see it." The document sanctioned the signature of the Peace Treaty, but it was only with great reluctance and bitterness of soul that Tao Kuang accepted it. Such was the effect of the first serious impact of the West on the Dragon Throne.

* The emperor's chief minister [Ed. note].

The emperor's orders to the three peace commissioners were:

**95. Imperial assent to peace, and directions to commissioners**

"Whatever promotes the welfare of innumerable living beings, I am obliged to grant; and the representations of my servants point out the necessity for putting a stop to troubles, and preserving the empire. The proposals submitted should be made a subject of discussion. As the barbarians, however, will retire from the Yangtse, and give up Chaoupaou Shan (the citadel of Chinhae), the trade to four of the ports may be granted; but Foochow is excepted. You my ministers will distinctly point out that their commerce has hitherto, for two hundred years, been peacefully carried out through the Hong merchants, and our mandarins* have never interfered in such matters. In all transactions of the kind, the settlement of prices presents endless details, and our officers are ignorant of the language of the different nations. The authorities could do no more than punish the native merchants who had been unjust in their dealings.

"The payment of the first six million ought to be immediately made, as an earnest of our good faith." After assenting to the other stipulations, Taoukwang directs his ministers to declare to the English, that the emperor had treated them with sincerity, and granted their principal demands, and their trade ought henceforward to be carried on in peace and harmony; adding, "We shall repair our dilapidated fortifications, and, moreover, dispose of our troops as we deem proper; such things ought not to give umbrage to the barbarians. *Be careful to make such arrangements as shall cut off forever all causes of war, and do not leave anything incomplete, or liable to doubt.*"

At the conference held on August 14, between Sir Henry Pottinger and Major Malcolm, Secretary to the English Mission, on the one side, and the Chinese Peace Commissioners on the other, the credentials of the former were shown and then—

*In the subsequent paper it will appear that the invading squadron are designated as "merchants;" and the pretended supposition in the above passage is, that the Chinese officers were expected to trade with them. But, of course, all parties were really much better informed, excepting, perhaps, the emperor himself, who is always the last to know the truth.

96. Production of the imperial commission

Major Malcolm then demanded to see the Emperor's commission, which, after some little delay and great ceremony, was brought forth from a chest by a mandarin, under whose special charge it appeared to be. He carried the roll of yellow silk in both his hands, and proceeded—his eyes reverentially fixed upon it—with slow and solemn steps towards the table, and placed it in the hands of Whang with tenderness and forced resignation. The produce of the silk wrapper was a little shabby yellow box badly made and worse painted, containing the power, which Morrison on examination pronounced, as far as he was able to judge, authentic.

I was greatly amused watching the anxious and horrified faces of the various Chinese when Mr. Morrison touched the commission, and I thought the old keeper would have fainted on the spot when he, for an instant, held it in one hand.

In China the same respect is paid to an Imperial edict, or the mark of the vermilion pencil, that, with us, the sovereign only receives in person. There are many powers delegated by sign manual throughout the empire, and in these cases the same homage is bestowed upon the written name of the Emperor, that is, in other countries, only yielded to the prince himself.

On August 26, the second official interview between the English and Chinese envoys was held. At this meeting the conditions upon which the English consented to peace were finally arranged.

97. Anxiety of the imperial envoys in preliminary negotiations

None of the critical examination into phrases or expressions, so keenly canvassed and suspiciously viewed by European diplomatists, occupied a moment of their* attention. All their anxiety which was too powerful to be concealed, was centered upon the one main object—our immediate departure; in consequence, almost in the same breath with their assent, they requested the Plenipotentiary to remove the ships away from the canals and to send them down the river. To this the Envoy replied that, upon the treaty being signed, the blockade would be removed, and when the last dollar of the first instalment of six millions was paid, every town and fort within the Yang-tze-kiang would be delivered back into their hands.

On August 29, 1842, at about eleven o'clock in the morning, the representatives of the imperial govern-

*The Chinese Envoys.

ment, Kiying, Niu Kien (or New Tajin), and Ilipu (Eleepoo), went on board H. M. S. *Cornwallis* and shortly afterward the treaty of peace was signed.

The historic scene is described by a fourteen-year-old boy who became famous a few years later as Sir Harry Parkes. At this time he had been in China about one year studying the language under John Robert Morrison. One year after this he became Interpreter to the British Consul in Shanghai, Rutherford Alcock.

98 Harry Parkes's description of the signing of the Treaty of Nanking

. . . Firstly the Treaty was sealed by Mr. Morrison as secretary to Sir Henry on the one side, and by Wang Tajin as secretary to Kiying on the other. There was the seal of the Imperial High Commissioners and Sir Henry's seal. This being finished and done, the table was drawn up to the sofa, and then Kiying, Elepoo, and Niu-kien signed thier names. I could not make anything out of the signatures at all (Mr. Thom told me it was a particular mark, which each mandarin has, and not letters). Then Sir Henry did his. There were four copies of the Treaty signed and sealed. They were bound in worked yellow silk, one Treaty in English and the same in Chinese stitched and bound together formed a copy. This being finished they all came out of the after-cabin and sat down to tiffin, and the different officers seated themselves all round the table, making plenty of guests. Almost directly after the Treaty was signed, a yellow flag for China at the main and a Union Jack for England at the mizen were hoisted, and at the same time a royal salute of twenty-one guns was fired. Some of the mandarins went to see this done, but soon came running up again much frightened. Soon after this they took their leave. Each party seemed satisfied and pleased with each other.

The observations of a careful student of affairs are always of importance. Sir John Davis was such a student. His comments on the haste with which peace was concluded by the government officials are of especial interest in the light of the breaking out of the Taiping Rebellion a few years later.

99. Reasons for haste in signing the treaty

The peace was hastened, not more by the really formidable character of the British expedition, than by the universal

anarchy and confusion that reigned internally; by the entire failure of every scheme grounded in ignorance, and defeated by its own folly; and, in fine, by the apprehension of a general revolution against the government, which was losing its hold on the minds of the people.

Of the signers of the treaty for China two, Kiying and Ilipu, were Manchus holding the office of High Commissioner. The third was a Chinese, the Nanking viceroy, in whose jurisdiction the negotiations and the signing took place. Two months after the signing of the treaty, Niu Kien was degraded from the office of viceroy, and in the following June was tried in Peking, and condemned to death—"ostensibly for the loss of the Wusung batteries." Ilipu became High Commissioner at Canton where he died early in the following March. Kiying was for a time titular viceroy of Nanking, i. e., Liang-Kiang viceroy, and on the death of Ilipu succeeded to the High Commissionership of Canton.

100. Description of the imperial envoys

Ilipu's serenity

Of the three who signed the treaty, Eleepoo was the most consistent and earnest advocate of peace. He was at the time suffering from the illness which not long afterwards proved fatal, and too weak to support himself. "I am an old man," he argued, "and after serving my country for so many years am now on the verge of the grave. Unconcerned about the indignation which may arise from my having advised conciliation, or the punishment which perhaps will overtake me for being instrumental to concluding a convention, I shall spend my last breath in asking peace for my country, and thus finish my career. Death will free me from the obloquy that such a step will entail, and this salutary and indispensable measure will ultimately speak for itself."

Kiying's fortitude

To Keying the case was comparatively new, for until lately he had been occupied at a distance in Manchouria. But he was thoroughly acquainted with the true interests of the Tartar dynasty. Taught by recent events, he proceeded on the conviction that this war could not go on without endangering the throne. He acted on private instructions, to consider no sacrifice too great to prevent such a crisis, and that whatever was done with that view would he approved, if not by the cabinet (of whom some are always Chinese), yet by the emperor and the high Manchow officers. With him it was a

question of facts and figures. He showed that so much would be lost by protracting the struggle, and so much gained by immediately bringing it to a conclusion. When difficulties occurred, he dispelled them by the short and cogent argument. "If we do not make peace, all is lost." His powers were very unusual,—in Chinese, *Pien-e-hing-sze**—"plenipotentiary" in the fullest sense of the term. Hence the absence of that usual feeling of responsibility which cramps most Chinese officers, and makes them mere puppets moved by wires at Peking. Dr. Gutzlaff accompanied him home, after the signature of the treaty on board the Cornwallis. Keying was at first lost in thought, but, gradually recovering himself, remarked, "I was a great friend of Keshen's; my views were the very same as his own, though I have gone much farther than he ever dared to do, or could have done; but the case demanded it, and I have performed my duty." Eleepoo was agitated; in addition to his age he was suffering from the climate, at that time so fatal to both natives and strangers. He had recourse to his Buddhist beads, which he told incessantly, and appeared to be occupied with his approaching end.

Niu Kien's bitterness of spirit

New Tajin, the third signer of the treaty, and a Chinese, was of a totally different stamp from his colleagues. He acted purely on compulsion ; and while obliged to acknowledge that the peace was indispensable, he could not help bewailing in bitter terms the immense sacrifices it imposed. What most grieved him was putting China on a level with "barbarian" states, and doing away with the long assumed superiority of mandarins. His Chinese prejudices were so strong that he preserved a sullen silence during the interviews, never speaking but when absolutely obliged. Despair of the cause he had so long advocated, (he was like most Chinese of the war party) seemed to have taken possession of his mind ; and he was naturally alarmed for himself, having held out visionary expectations, and shown no great share of common sense in his proceedings.

The Treaty of Nanking was signed on August 29, 1842, and the ratifications were exchanged on June 26 of the following year. Hongkong, which had originally been ceded by Keshen in the Convention of Chuenpi and then held by force after the denouncing of that agreement, became an integral part of the British Empire, on the day that the ratifications were exchanged, as the Crown Colony of Hongkong.

* Literally, "To act according to expediency."

By the beginning of the year 1846 China had completed the payment in hard silver of the war indemnity of 21,000,000 dollars. This was between four and five million pounds sterling, and "proved equal to 4*s*. 6*d*. the dollar, weight for weight."

101. The Treaty of Nanking

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, being desirous of putting an end to the misunderstandings and consequent hostilities which have arisen between the two Countries, have resolved to conclude a Treaty for that purpose, and have therefore named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of Great Britain and Ireland, Sir Henry Pottinger, Bart., a Major-General in the Service of the East India Company, etc., etc.;

And His Imperial Majesty the Emperor of China, the High Commissioners Keying, a Member of the Imperial House, a Guardian of the Crown Prince and General of the Garrison of Canton; and Elepoo, of the Imperial Kindred, graciously permitted to wear the insignia of the first rank, and the distinction of a Peacock's feather, lately Minister and Governor General, etc., and now Lieutenant-General Commanding at Chapoo:

Who, after having communicated to each other their respective Full Powers and found them to be in good and due form, have agreed upon, and concluded, the following articles:—

ARTICLE I

There shall henceforward be Peace and Friendship between. . . . (England and China) and between their respective Subjects, who shall enjoy full security and protection for their persons and property within the Dominions of the other.

ARTICLE II

The treaty ports

His Majesty the Emperor of China agrees that British Subjects, with their families and establishments, shall be allowed to reside, for the purpose of carrying on their Mercantile pursuits, without molestation or restraint at the Cities and Towns of Canton, Amoy, Foochow-fu, Ningpo, and Shanghai, and Her Majesty the Queen of Great Britian, etc., will appoint Superintendents or Consular Officers, to reside at each of the above-named Cities or Towns, to be the medium of communication between the Chinese Authorities and the said Merchants, and to see that the just Duties

and other Dues of the Chinese Government as hereafter provided for, are duly discharged by Her Britannic Majesty's Subjects.

### Article III

Cession of Hongkong

It being obviously necessary and desirable, that British Subjects should have some Port whereat they may careen and refit their Ships, when required, and keep Stores for that purpose, His Majesty the Emperor of China cedes to Her Majesty the Queen of Great Britain, etc., the Island of Hongkong, to be possessed in perpetuity by Her Britannic Majesty, Her Heirs and Successors, and to be governed by such Laws and Regulations as Her Majesty the Queen of Great Britain, etc., shall see fit to direct.

### Article IV

Payment for opium

The Emperor of China agrees to pay the sum of Six Millions of Dollars as the value of Opium which was delivered up at Canton in the month of March, 1839, as a Ransom for the lives of Her Britannic Majesty's Superintendent and Subjects, who had been imprisoned and threatened with death by the Chinese High Officers.

### Article V

Abolition of the co-hong and payment of merchants' debts

The Government of China having compelled the British Merchants trading at Canton to deal exclusively with certain Chinese Merchants called Hong Merchants (or Cohong) who had been licensed by the Chinese Government for that purpose, the Emperor of China agrees to abolish that practice in future at all Ports where British Merchants may reside, and to permit them to carry on their mercantile transactions with whatever persons they please, and His Imperial Majesty further agrees to pay to the British Government the sum of Three Millions of Dollars, on account of Debts due to British Subjects by some of the said Hong Merchants (or Cohong), who have become insolvent, and who owe very large sums of money to Subjects of Her Britannic Majesty.

### Article VI

Indemnity

The Government of Her Britannic Majesty having been obliged to send out an Expedition to demand and obtain redress for the violent and unjust Proceedings of the Chinese High Authorities towards Her Britannic Majesty's Officer and Subjects, the Emperor of China agrees to pay the sum of Twelve Millions of Dollars on account of the Expenses incurred, and Her Britannic Majesty's Plenipotentiary voluntarily agrees, on behalf of Her Majesty, to deduct from the said amount of Twelve Millions of Dollars, any sums which

may have been received by Her Majesty's combined Forces as Ransom for Cities and Towns in China, subsequent to the 1st day of August 1841.

### Article VII

Time of payment

It is agreed that the Total amount of Twenty-one Millions of Dollars, described in the three preceding Articles, shall be paid as follows :—

Six Millions immediately.
Six Millions in 1843. . . .
Five Millions in 1844. . . .
Four Millions in 1845. . . .

### Article VIII

Release of prisoners

The Emperor of China agrees to release unconditionally all Subjects of Her Britannic Majesty (whether Natives of Europe or India) who may be in confinement at this moment, in any part of the Chinese Empire.

### Article IX

Amnesty

The Emperor of China agrees to publish and promulgate, under His Imperial Sign Manual and Seal, a full and entire amnesty and act of indemnity, to all Subjects of China on account of their having resided under, or having had dealings and intercourse with, or having entered the Service of Her Britannic Majesty, or of Her Majesty's Officers, and His Imperial Majesty further engages to release all Chinese Subjects who may be at this moment in confinement for similar reasons.

### Article X

Tariff and dues

His Majesty the Emperor of China agrees to establish at all the Ports which are by the 2nd Article of this Treaty to be thrown open for the resort of British Merchants, a fair and regular Tariff of Export and Import Customs and other Dues, which Tariff shall be publicly notified and promulgated for general information, and the Emperor further engages, that when British Merchandise shall have once paid at any of the said Ports the regulated Customs and Dues agreeable to the Tariff, to be hereafter fixed, such Merchandise may be conveyed by Chinese Merchants, to any Province or City in the interior of the Empire of China on paying a further amount as Transit Duties which shall not exceed per cent. on the tariff value of such goods.

### Article XI

Equality of the two nations

It is agreed that Her Britannic Majesty's Chief High Officer in China shall correspond with the Chinese High Officers, both at the Capital and in the Provinces, under the

term "Communication" 照會. The Subordinate British Officers and Chinese High Officers in the Provinces under the terms "Statement" 申陳 on the part of the former, and on the part of the latter "Declaration" 劄行, and the Subordinates of both countries on a footing of perfect equality. Merchants and others not holding official situations and, therefore, not included in the above, on both sides, to use the term "Representation" 稟明 in all Papers addressed to, or intended for the notice of the respective Governments.

### Article XII

English retirement from Chinese soil

On the assent of the Emperor of China to this Treaty being received and the discharge of the first instalment of money, Her Britannic Majesty's Forces will retire from Nanking and the Grand Canal, and will no longer molest or stop the Trade of China. The Military Post at Chinhai will also be withdrawn, but the Islands of Koolangsoo and that of Chusan will continue to be held by Her Majesty's Forces until the money payments, and the arrangements for opening the Ports to British Merchants be completed.

### Article XIII

Ratification

The Ratification of this Treaty by Her Majesty the Queen of Great Britain, etc., and His Majesty the Emperor of China shall be exchanged as soon as the great distance which separates England from China will admit. . . .

Done at Nanking and Signed and Sealed by the Plenipotentiaries on board Her Britannic Majesty's ship *Cornwallis*, this twenty-ninth day of August, 1842, corresponding with the Chinese date, twenty-fourth day of the seventh month in the twenty-second Year of Taou Kwang.

## *Section 20. Chinese Weapons of Warfare in the Nineteenth Century*

In studying the causes and the prosecution of the war between China and England it is well to bear in mind that the armaments of the two nations were quite different. England was the gainer by the mechanical inventions of the West. China was yet in the Middle Ages so far as military equipment was concerned. The use of steam-driven warships was a source of intense surprise and terror to the Chinese. At the outset of the struggle

China considered that it was one between a giant and a pygmy. This was the case, but it was the military equipment and not continental land that counted. The following accounts of the weapons of the officers and soldiers throw considerable light on the military status of China in the second quarter of the nineteenth century:

102. Weapons of the soldiers

It is well known that the bow and arrow is the favorite weapon of the Tartar troops, upon the dexterous use of which they set the highest claim to military distinction. The spear also, of various forms and fashions, is a favourite weapon both of Tartars and Chinese; but the matchlock, which in all respects very nearly resembles some of the old European weapons of the same name, except that the bore is generally somewhat smaller, is of much more modern introduction, and by no means so much in favour with the Chinese; this is occasioned principally by the danger arising from the use of the powder, in the careless way in which they carry it. They have a pouch in front, fastened round the body, and the powder is contained loose in a certain number of little tubes inside the pouch, not rolled up like our cartridges.

Of course, every soldier has to carry a match or portfire to ignite the powder in the matchlock when loaded. Hence, when a poor fellow is wounded and falls, the powder, which is very apt to run out of his pouch over his clothes, is very likely to be ignited by his own match, and in this way he may either be blown up at once, or else his clothes may be ignited; indeed, it is not impossible that the match itself may be sufficient to produce this effect; it is therefore not surprising that they should regard the matchlock with some little apprehension. . . .

103. Weapons of the mandar

The weapons of the mandarins consist of a sword, similar to that used by the ancient Romans, with a short straight blade, the scabbard being ornamented according to the fancy of the bearer. This is invariably carried on the right side, in order to prevent that weapon from getting entangled with the slings of the quiver for arrows, which is fastened round the waist by a handsomely embroidered belt, and hangs on the left side. The quiver is made of leather appropriately ornamented, and has generally a species of sabretache attached to it, in which the bow is placed; some of which I have seen with a hinge in the centre, to admit of being folded up into a smaller space. The arrows are of various lengths, some armed with a ball at the end perforated with holes, which in their progress through the air causes a whistling noise, and is supposed to strike terror to the hearer; the

points are barbed, hooked, and broad headed, while the butt is generally decorated with bright coloured feathers, those of the Tartar pheasant being most esteemed, and used by the mandarins only.

Arms of the soldiers

The arms of the soldiers are shields, matchlocks, spears, bows and arrows, and double swords. The only kind of armour is a round cap, made of rattan, painted with a huge pair of eyes, and well calculated to ward off the blow of a sword; sometimes the soldiers wear a cap similar to that of the mandarins without any button. The shields are of different sizes, made also of rattan, containing a ring inside sufficiently large to pass the arm through, and a little further in, a bar to lay hold of. They are generally painted with a devil's, or some such fascinating animal's face, intended to intimidate the beholder. These shields are not bullet-proof to a close shot, but no sword can either pierce, or cut through them.

The matchlock is as nearly as possible the old European weapon of the same name. It is not held in such estimation by the Chinese as the bow, from its danger to the bearer, in consequence of the liability of the match either to ignite his clothes or to blow up his powder-pouch, which is carried round the waist in a cotton or leather case, containing fourteen or sixteen wooden tubes, each holding a loose charge. This pouch is adorned with a representation intended to resemble a tiger's face, and from the careless manner in which the powder is carried, the probability of the wearer blowing himself up is extremely great.

Their spears are of all kinds, sizes and shapes, with which, in coming to close quarters, we found that they inflicted most horrid wounds; the favourite pattern of them is a long broad blade. They also use pikes, and a species of the straight scythe with a handle very short in proportion to the length of the blade.

The bows and arrows are alike, whether borne by mandarin or private, the only difference being in the material; the quiver of the soldier is lashed tight on his back, and for the convenience of carriage is generally square. The Tartar and Chinese troops use bows of different sizes and strength, the Tartars use a peculiar kind of cross-bow, throwing three arrows. The bow is made of elastic wood, covered with horn on the outside, and its strength varies from eighty pounds to one hundred weight; the string is made of silk and flax, strongly spun together, with three joints to allow of its being put away in smaller space and to prevent it from cutting. In shooting the arrow, the string is held behind an agate or jade-stone ring, worn on the right thumb, the first joint of which is bent forward, and the string is confined, till the arrow is let fly by the middle joint of the fore finger.

The double-sword is a weapon of a very remarkable and singular construction. The blades are carried in the same sheath, and necessarily the inner side of both is quite flat, while the opposite one is triangular. A soldier with a sword in each hand advances to the front, goes through a variety of extraordinary gestures, all the while uttering strange cries, varied by terms of the greatest opprobrium he can lavish on the enemy. One or two of these military mountebanks having been picked off by our men, they did not latterly exhibit their accomplishments so often.

Soldiers' uniforms

The uniform of the soldiers is very much a matter of fancy; the jacket is generally made of a light blue cloth, turned up with red, or else a red jacket bordered with white; the tunic or under garment reaches down to the knees, and is generally blue. The name of the regiment to which the bearer belongs is written on the back and on the breast, with some terror-inspiring word, such as "Robust," "Tiger-hearted," &c. One particular corps has a tiger's face instead of the name, and the dress is striped, and made to resemble a tiger, as much as possible.

## SUPPLEMENTARY READINGS

**See references to the preceding chapter, and also:** *Chinese Repository*, Vols. VIII, IX; DAVIS, *China During the War and Since the Peace;* MACKENZIE, *Narrative of Second Campaign in China* (London, 1842); BERNARD, *Voyages and Services of the Nemesis;* J. OUCHTERLONY, *The Chinese War* (London, 1844); G. G. LOCH, *Closing Events of the Campaign in China* (London, 1843); BACKHOUSE AND BLAND, *Annals and Memoirs*, Chap. XVI; S. LANE-POOLE, *Sir Harry Parkes in China* (London, 1901); *Treaties, Conventions, etc., between China and Foreign States* (see Table of Contents, No. 101); J. M. CALLAHAN, *American Relations in the Pacific and the Far East*, 1487–1900 (Baltimore, 1901); EAMES, *The English in China;* MICHIE, *The Englishman in China;* J. E. BINGHAM, *Narrative of the Expedition to China*, 2 vols. (London, 1842); R. K. DOUGLAS, *Society in China* (London, 1901), Chap. XIII; D. MCPHERSON, *The War in China* (London, 1843); K. S. MACKENZIE, *Narrative of the Second Campaign in China* (London, 1842); H. B. MORSE, *International Relations*, Vol. I, Chaps. IX, X.

# CHAPTER VI

## PEACE, AND INTERNATIONAL READJUSTMENT

### *Section 21. Treaty Arrangements with England and the United States*

The Treaty of Nanking was the first of four treaties that were signed with China by Western nations as a direct result of the war of 1842. The treaty of the Bogue was signed on October 8, 1843. This document is of especial significance as it contains the "Most-Favored-Nation Clause," a stipulation upon which is based the claim often used in later years that any privileges conceded by China to one country may be demanded by the other treaty powers. It had been declared by the British authorities that in their dealings with China they were seeking no exclusive privileges. By the most-favored-nation clause this declaration took on a new and permanent meaning.

The Treaty of the Bogue was signed by Sir Henry Pottinger and Kiying. It was published by Governor Davis of Hongkong in a Proclamation dated July 10, 1844, and was abrogated by Article I of the treaty of Tientsin, June 26, 1858.

ARTICLE VIII

**104. The most-favored-nation clause**

The Emperor of China having been graciously pleased to grant to all foreign Countries whose Subjects, or Citizens, have hitherto traded at Canton the privilege of resorting for purposes of Trade to the other four Ports of Fuchow, Amoy, Ningpo and Shanghai, on the same terms as the English,

it is further agreed, that should the Emperor hereafter, from any cause whatever, be pleased to grant additional privileges or immunities to any of the subjects or Citizens of such Foreign Countries, the same privileges and immunities will be extended to and enjoyed by British Subjects; but it is to be understood that demands or requests are not, on this plea, to be unnecessarily brought forward.

At the time during which the English were warring and negotiating with China the sea trade of that country was divided between England and the United States. Consequent upon the signing of the Nanking treaty the American government sent Mr. Caleb Cushing as Commissioner and Envoy Extraordinary and Minister Plenipotentiary to negotiate a treaty with China.

The Secretary of State at this time was Mr. Daniel Webster, the noted orator. Mr. Webster instructed the American Minister to acknowledge the commercial regulations and laws of the Chinese empire but added: "You will at the same time assert and maintain, on all occasions, the equality and independence of your own country." Mr. Cushing was especially warned against permitting the Chinese to rank him as a "tribute-bearer," but was to advise the Chinese officials that he was ready to pay the same marks of respect to the emperor that American representatives always paid to a sovereign ruler.

President Tyler sent a letter to the emperor which has often been criticized on account of its naïvely patronizing tone. Its style is patronizing and for that reason could be easily comprehended by the emperor; the contents of the letter, however, show that the President and his officers were moved by a sincere desire to be generous, not to use force, and not to ask more than they were ready to give.

105. President Tyler's letter to the emperor of China

I, John Tyler, President of the United States of America—which States are: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York,

New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Ohio, Louisiana, Indiana, Mississippi, Illinois, Alabama, Missouri, Arkansas, and Michigan—send you this letter of peace and friendship, signed by my own hand.

I hope your health is good. China is a great Empire, extending over a great part of the world. The Chinese are numerous. You have millions and millions of subjects. The twenty-six United States are as large as China, though our people are not so numerous. The rising sun looks upon the great mountains and great rivers of China. When he sets, he looks upon the rivers and mountains equally large in the United States. Our territories extend from one great ocean to the other; and on the west we are divided from your dominions only by the sea. Leaving the mouth of one of our great rivers, and going constantly toward the setting sun, we sail to Japan and to the Yellow Sea.

**America desires peaceful trade with China**

Now, my words are that the governments of two such great countries should be at peace. It is proper, and according to the will of heaven, that they should respect each other, and act wisely. I therefore send to your court Caleb Cushing, one of the wise and learned men of this country. On his first arrival in China, he will inquire for your health. He has strict orders to go to your great city of Peking, and there to deliver this letter. He will have with him secretaries and interpreters.

The Chinese love to trade with our people, and to sell them tea and silk, for which our people pay silver, and sometimes other articles. But if the Chinese and the Americans will trade, there shall be rules, so that they shall not break your laws or our laws. Our minister, Caleb Cushing, is authorized to make a treaty to regulate trade. Let it be just. Let there be no unfair advantage on either side. Let the people trade not only at Canton, but also at Amoy, Ningpo, Shanghai, Fuhchau, and all such other places as may offer profitable exchanges both to China and the United States, provided they do not break your laws nor our laws. We shall not take the part of evil doers. We shall not uphold them that break your laws. Therefore, we doubt not that you will be pleased that our messenger of peace, with this letter in his hand, shall come to Peking, and there deliver it; and that your great officers will, by your order, make a treaty with him to regulate affairs of trade—so that nothing may happen to disturb the peace between China and America. Let the treaty be signed by your own imperial hand. It shall be signed by mine, by the authority of our great council, the Senate.

And so may your health be good, and may peace reign.

Written at Washington, this twelfth day of July, in the year of our Lord one thousand eight hundred and forty-three. Your good friend.

Mr. Cushing reached Macao on February 24, 1844. After considerable unsatisfactory correspondence with the acting viceroy he was able in June to negotiate the Treaty of Wanghia with the recently transferred viceroy and High Commissioner, Kiying. The treaty was signed on Chinese soil, July 3, 1844. Article XXXIV of this treaty contained a provision which indirectly helped, on account of its being disregarded by the imperial government, toward the breaking out of the Second Anglo-Chinese War. This provision was one allowing for the possible revision of the treaty after the passing of twelve years. The Treaty of Whampoa, signed between France and China on October 24, 1844, contained the same provision. The most-favored-nation clause applied to the English.

**106. The Treaty of Wanghia, 1844**

The United States of America and The Ta-Tsing Empire, desiring to establish firm, lasting, and sincere friendship between the two nations, have resolved to fix, in a manner clear and positive, by means of a Treaty or general convention of peace, amity, and commerce, the rules which shall in future be mutually observed in the intercourse of their respective countries; for which most desirable object the President of the United States has conferred full powers on their Commissioner, Caleb Cushing, Envoy Extraordinary and Minister Plenipotentiary of the United States to China, and the August Sovereign of the Ta-Tsing Empire, on his Minister and Commissioner Extraordinary, Kiying, of the Imperial House, a Vice-Guardian of the Heir Apparent, Governor-General of the Two Kwangs, and Superintendent-General of the Trade and Foreign Intercourse of the Five Ports

And the said Commissioners . . . have agreed to the following Articles :—

ARTICLE II

**Most-favored-nation treatment**

Citizens of the United States resorting to China for the purpose of Commerce will pay the duties of import and export

prescribed by the Tariff which is fixed by and made a part of this Treaty. They shall in no case be subject to other or higher duties than are or shall be required of the people of any other nation whatever. . . . And if additional advantages or privileges of whatever description be conceded hereafter by China to any other nation, the United States and the citizens thereof shall be entitled thereupon to a complete, equal, and impartial participation in the same.

### Article III

The citizens of the United States are permitted to frequent the five ports of Quangchow, Amoy, Fuchow, Ningpo, and Shanghai, and to reside with their families and trade there. . . .

### Article IV

Equality of Chinese and American officials

For the superintendence and regulation of the concerns of citizens of the United States doing business at the said five ports, the Government of the United States may appoint Consuls or other officers at the same, who shall be duly recognized as such by the officers of the Chinese Government, and shall hold official intercourse and correspondence with the latter, either personal or in writing, as occasion may require, on terms of equality and reciprocal respect. . . .

### Article XV

Free trade

The former limitation of the trade of Foreign nations to certain persons appointed at Canton by the Government, and commonly called hong merchants, having been abolished, citizens of the United States engaged in the purchase or sale of goods of import or export are admitted to trade with any and all subjects of China without distinction; and they shall not be subject to any new limitations nor impeded in their business by monopolies or other injurious restrictions.

### Article XVII

Citizens of the United States residing or sojourning at any of the ports open to Foreign commerce shall enjoy all proper accommodation in obtaining houses and places of business, or in hiring sites from the inhabitants on which to construct houses and places of business, and also hospitals, churches, and cemeteries. . . .

### Article XVIII

It shall be lawful for officers or citizens of the United States to employ scholars and people of any part of China,

without distinction of persons, to teach any of the languages of the Empire, and to assist in literary labours, and the persons so employed shall not for that cause be subject to any injury on the part either of the Government or of individuals; and it shall in like manner be lawful for citizens of the United States to purchase all manner of books in China.

### Article XXI

The question of jurisdiction

Subjects of China who may be guilty of any criminal act toward citizens of the United States shall be arrested and punished by the Chinese authorities according to the laws of China, and citizens of the United States who may commit any crime in China shall be subject to be tried and punished only by the Consul or other public functionary of the United States thereto authorized according to the laws of the United States. . . .

### Article XXV

All questions in regard to rights, whether of property or person, arising between citizens of the United States in China shall be subject to the jurisdiction of and regulated by the authorites of their own Government; and all controversies occurring in China between the citizens of the United States and the subjects of any other Government shall be regulated by the Treaties existing between the United States and such Governments respectively, without interference on the part of China.

### Article XXX

The superior authorities of the United States and of China, in corresponding together, shall do so in terms of equality and in the form of mutual communication (*chau-hwui*). The Consuls and the local officers, civil and military, in corresponding together shall likewise employ the style and form of mutual communication (*chau-hwui*). When inferior officers of the Government address superior officers of the other, they shall do so in the style and form of memorial *shin-chin*). Private individuals in addressing superior officers shall employ the style of petition (*pin-ching*). In no case shall any terms or style be suffered which shall be offensive or disrespectful to either party. And it is agreed that no presents under any pretext or form whatever shall ever be demanded of the United States by China or of China by the United States.

### Article XXXI

Communications from the Government of the United States to the Court of China shall be transmitted through

the medium of the Imperial Commissioner charged with the superintendence of the concerns of Foreign nations with China, or through the Governor-General of the Liang Kwang, that of Min and Chah, or that of Liang Kang.

### Article XXXIII

Opium recognized as contraband

Citizens of the United States who shall attempt to trade clandestinely with such of the ports of China as are not open to foreign commerce, or who shall trade in opium or any other contraband articles of merchandise, shall be subject to be dealt with by the Chinese Government, without being entitled to any countenance or protection from that of the United States; and the United States will take measures to prevent their flag from being abused by the subjects of other nations as a cover for the violation of the laws of the Empire.

### Article XXXIV

Revision of treaty after twelve years

When the present Convention shall have been definitively concluded, it shall be obligatory on both powers, and its provisions shall not be altered without grave cause; but inasmuch as the circumstances of the several ports of China open to foreign commerce are different, experience may show that inconsiderable modifications are requisite in those parts which relate to commerce and navigation; in which case the two Governments will, at the expiration of twelve years from the date of said Convention, treat amicably concerning the same, by the means of suitable persons appointed to conduct such negotiation. . . .

In faith thereof, we, the respective Plenipotentiaries of the United States of America and the Ta-Tsing Empire as aforesaid, have signed and sealed these presents.

Done at Wang-hea, this third day of July in the year of our Lord Jesus Christ one thousand eight hundred and forty-four, and of Taou-Kwang, the twenty-fourth year, fifth month, and eighteenth day.

## *Section 22. The Status of Opium*

Attention has been called previously to the common idea among the Chinese and Manchus that the cause of the First Anglo-Chinese War was the desire of the British to force opium upon the empire and to protect the opium trade. Those who believed this must have been puzzled by the Treaty of Nanking, for the opium

question was not settled in that agreement. Between 1840–1860 smuggling went on in a lively and lucrative manner.

The official attitude of the English government was summed up in Lord Palmerston's instructions to Sir Henry Pottinger on his departure for China, May 31, 1841. The British merchants in China were notified by Sir Henry Pottinger that the opium trade was illegal and that British subjects engaging in that trade would receive no help or protection from the home government.

**107. Lord Palmerston's instructions to Sir Henry Pottinger May, 1841**

It is of great importance, with a view to the maintenance of a permanent good understanding between the two countries, that the Chinese Government should place the opium trade upon some regular and legalized footing. Experience has shown that it is entirely beyond the power of the Chinese Government to prevent the introduction of opium into China; and many reasons render it impossible that the British Government can give the Chinese Government any effectual aid toward the accomplishment of that purpose. But while the opium trade is forbidden by law it must inevitably be carried on by fraud and violence; and hence must arise frequent conflicts and collisions between the Chinese preventive service and the parties who are engaged in carrying on the opium trade. These parties are generally British subjects; and it is impossible to suppose that this private war can be carried on between British opium smugglers and the Chinese authorities, without events happening which must tend to put in jeopardy the good understanding between the Chinese and British Governments.

England does not demand; but suggests

H. M. Government makes no demand in this matter; for they have no right to do so. The Chinese Government is fully entitled to prohibit the importation of opium, if it pleases; and British subjects who engage in a contraband trade must take the consequences of doing so. But it is desirable that you should avail yourself of every favorable opportunity to strongly impress upon the Chinese Plenipotentiary, and through him upon the Chinese Government how much it would be for the interest of the Chinese Government itself to alter the law of China on this matter, and to legalize, by a regular duty, a trade which they cannot prevent.

In his "note on our present position and the state of our relations with China," under date of January 19,

1849, Consul Alcock, of Shanghai, commented on the unsatisfactory status of opium and the danger that lurked in the question.*

**108. Consul Alcock on the status of opium in 1849**

As to any remedy to be applied to the evils of the opium trade, there seems to be none open to either Government but its legalisation, which would strip it of its contraband character, and remove from the emperor the open reproach to his authority, while it might be made to yield a large revenue to his treasury. If on a question of national policy or morality, this measure, as the lesser of two evils, is declined, there seems to be no help for the mischief which must accrue to us from being the chief agents in the traffic. But it is useless to disguise from ourselves the injurious influence it will unfailingly exercise upon our political action, when any rights on our part are weighed, and it is this which may entail the necessity of our flinging the weight of the sword into the opposite scale—sheathed it may be, but not the less significant and compulsory in its effect.

Writing ten years after the signing of the Nanking treaty Sir John Francis Davis, sometime Superintendent of British trade, and governor of Hongkong, discussed the status of the question after the war and the actions taken by him during his administration.

**109. Opium ten years after the Treaty of Nanking**

It is well known that not a single measure has been taken by the emperor's government against opium since the war, now a period of nearly ten years. Every endeavour was made by both Sir Henry Pottinger and myself, to persuade Keying to use his influence at Peking for legalizing the trade, but entirely without success. He readily professed his own wish to see it freed from the odium of illegality, but expressed an apprehension that the smuggling would continue, and the duties be evaded. His fear of representing the subject, or offering any advice to the emperor, was grounded on this uncertainty; as Chinese ministers are held responsible for the consequences of any measures that may be adopted at their suggestion.

**Keying connives at smuggling**

Keying, on the other hand, in 1844, addressed me a note in which he openly proposed that the opium trade should be carried on by mutual connivance. In conformity with

* The source of this selection may be found in the table of contents. The entire note should, if possible, be read by the student.

this rule, not a single proclamation against it had been issued since the peace; and when H. M.'s consul at Shanghae, according to treaty, denounced the opium ships to mandarins, the local government evinced no desire to receive the information. The only thing wanting was, that the emperor should publicly sanction what he had once publicly condemned,—and this was found impossible by Chinese pride or policy.

The trade, however, was practically tolerated, and to us this made a great difference. The Chinese government was not sufficiently honest to make a public avowal of this change in its system; but the position in which Great Britain stood became materially altered. China had distinctly declined a conventional arrangement for the remedy of the evil, and expressed a desire that we should not bring the existing abuse to its notice. The systematic manner in which the opium trade was now carried on by the officers of government, especially in the Canton river, as a sort of mandarin monopoly, led to the conclusion (independently of the direct avowal) that there was at present no wish for a change. As the impoverished finances of the government did not admit of the public servants being adequately paid in a legitimate manner, this corrupt system had taken the place of it; more especially at Canton, where the reforms introduced by the tariff of duties had deprived the officers of a large amount of their irregular gains under the old regime.

Smuggling helps the pay of the officials

In 1845, the growth of smuggling of every description, in connection with that of opium, reached such a height at Whampoa, within the Canton river, as to interfere seriously with the rights of the fair trader. It became my duty to adopt effective measures against it; which was not difficult under the provisions of the treaty, and in co-operation with Keying. It appeared, however, that British vessels were not the only smugglers, and a reasonable communication was received by H. M.'s consul from the English merchants, pointing out the hardship of the restrictions being confined to them, while the smuggling ships of other nations could remain at Whampoa. It became necessary to call on Keying to do what was required on the part of the Chinese government, and a despatch from the consul soon reported that the smugglers of all descriptions, including those under foreign flags, had quitted Whampoa and the interior of the river.

Effect of smuggling on honest trade

During they ears 1857–1858 Mr. George Wingrove Cooke was the correspondent for the *London Times* in China. His remarks on opium present an interesting picture of the conditions just preceding the outbreak of the Second Anglo-Chinese War.

110. Opium at the outbreak of the Second Anglo-Chinese War

While I am speaking of this article I must add, that it is not fair in a public writer, in discussing the question of the opium trade, to ignore these important and notorious facts:—that opium is most extensively grown in China, at a price very far below that which is paid for the Indian opium ; that it is smoked openly by mandarins at the court and by judges on the bench, and that not one word appears in any public document against the traffic since the course of exchange has turned in favour of the Chinese, and this drug is paid for in silk and teas instead of in silver. I am no more an advocate for opium smuggling than I am for undue preferences for Hong Kong, but I am a strenuous advocate for giving the public the whole truth so far as we can obtain it.

In November, 1857, Mr. William B. Reed, the American Minister appointed to China by President Buchanan, reached this country. The policy of his government was to oppose the opium traffic and to reaffirm the anti-opium provisions in the Treaty of Wanghia. After studying the condition of opium affairs, Mr. Reed wrote, in 1858, to the British representative as follows:

111. Remarks of the American envoy, William B. Reed

Of effective prohibition, and this mainly through the inveterate appetite of the Chinese, I am not sanguine; and I therefore more confidently, though not more earnestly, call your Excellency's attention to the only other course open to us—attempt to persuade the Chinese to put such high duties on the drug as will restrain the supply, regulate the import, and yet not stimulate some other form of smuggling, with or without the connivance of the Chinese. The economical arguments in favor of this course are so fully stated in the accompanying paper, that I need not allude to them further.

Lord Elgin, High Commissioner and plenipotentiary, was able in 1858 to get the opium trade legalized. His reasons for his policy and his answer to Mr. Reed are given herewith:

112. Lord Elgin's reply to the American envoy

I so cordially assent to the views expressed by Your Excellency in reference to the opium trade, that I do not think it necessary to dwell on this part of your letter. I would only venture to observe, on this head, that when I resolved not to press this matter upon the attention of the

Chinese Commissioners at Tientsin, I did so, not because I questioned the advantages which would accrue from the legalisation of the traffic but because I could not reconcile it to my sense of right to urge the Imperial Government to abandon its traditional policy in this respect, under the kind of pressure which we were bringing to bear upon it at Tientsin.

The circumstances under which this question will come up for discussion in the conferences on the subject of the tariff, which are now being held at this place, are happily different; and I shall not fail to instruct the gentlemen who are acting for me on this occasion to call the attention of the officers of the Chinese Government, with whom they are negotiating, to the considerations so ably stated in your letter. I have little doubt but that it will be found that legalisation is the only available remedy for the evils which have attracted your Excellency's notice, because I am confident that, even if the other difficulties to which you advert could be removed, it would be found practically impossible to suppress the traffic in an article so easily raised and transported, and the demand for which in this country is so great that when the supply, from some cause or another, has fallen short, the price has, I am informed, even within the last few years, risen occasionally to upwards of one thousand dollars per chest—a sum exceeding, I should presume, five times the cost of production.

## *Section 23. Manchu-Chinese State of Mind After the War*

In 1843 Thomas Taylor Meadows arrived at Canton where he took the position of Interpreter to the British Consulate. Four years later he published a small volume under the title of *Desultory Notes on the Government and People of China.* The book was the fruit of careful personal observation and is one of the most valuable of the period. From it the following selection is drawn:

113. Interpreter Meadows "on the Chinese ignorance of foreign countries, and feeling of superiority over foreigners."

There seems to be an idea now somewhat prevalent in England, that the Chinese generally have, in consequence of the late war, attained a much more correct knowledge of foreigners and the power and state of their countries than formerly. This is, however, very far from being the case. Those who saw and felt us, though sufficient in number to populate a first-rate European kingdom, form but a very small portion of the Chinese people; and the great body of the nation,

inhabiting districts and provinces that we have never yet reached, can only look on the late war as a rebellious irruption of a tribe of barbarians; who, secure in their strong ships, attacked and took some places along the coast; and even managed to get into their possession an important point of the grand canal, whereby they forced the Emperor to make them certain concessions. Nearly all they know of the fighting and of the character of the invading forces they must have learned from the mandarins' reports to the Emperor, and his answers to them, published in the "Pekin Gazette," and from copies of local proclamations which may have reached them. We may easily imagine, from the tone of these papers, that the Chinese, who from want of experience, would be unable to form sound judgments on such matters from *correct* data, must entertain opinions on the subject as erroneous as the accounts in these documents are distorted.*

Lack of general information in China

It will be difficult for the Englishman, who is in the habit of obtaining speedy and correct information through the newspapers of all unusual occurrences, not only in his own, but in nearly every country in the world, to comprehend this fully; but he must remember that the Chinese have (with the single exception of the "Pekin Gazette," containing nothing but official documents full of misrepresentations) no newspapers, and that the great body of the nation have no means of learning what passes at a distance from their own township. This is a circumstance which must always be kept in view when reflecting on and drawing conclusions with regard to China and the Chinese, as it accounts for much that will otherwise appear extraordinary.

So much for the nation generally; as to those who have come, and continue to come into contact with us, let the reader remember how very few foreigners speak Chinese; that only the Canton and Macao Chinese speak a little English, and that so badly as to be barely intelligible even when speaking of matters relating to their own occupations of tradesmen, mechanics, or menials;—let the reader recall this to his mind, and he will perceive that, even if the Chinese were eager inquirers into foreign matters, and knew how to put their questions, they must from the want of opportunity alone, be woefully ignorant of us. But the apathy with respect to foreign things generally, even of the higher and, in the Chinese sense of the word, educated classes, and that when they meet a foreigner who understands their own language, is to an

* The people in and around Canton *now confidently believe* that, although we beat the regular soldiers during the war, their own volunteer corps could expel us from the country.

European quite astonishing. They very seldom ask questions, still more seldom is the information they seek after of a kind that tends to enlighten their minds on the state of foreign nations. An intelligent European, accustomed to reflect on the state of a number of countries enjoying a variety of dif ferent advantages, and labouring each under peculiar disad vantages, could, by a few well-directed questions, and from very little data, form a tolerably correct notion of the state of a people hitherto unknown to him ; but it would be a great error to suppose that this is the case with the Chinese. Their exclusion of foreigners and confinement to their own country has, by depriving them of all opportunities of making comparisons, sadly circumscribed their ideas; they are thus totally unable to free themselves from the dominion of association, and judge every thing by rules of purely Chinese convention.

General apathy of even the educated classes

If we except one or two of the Chinese officers who have constantly been engaged in the late negotiation with foreigners, and, it may be, a few of those who have had business to transact with the consulates at the five ports, those Chinese who speak the Canton-English, know all that is known of us in China. These people being, as above stated, tradesmen, mechanics, and domestics, are of course nearly all ignorant, in a Chinese point of view; and the following speech of a master carpenter, a man who has probably worked exclusively for foreigners from his youth up, uttered in an unaffected and earnest manner, in the course of a conversation about the building of the British consulate, gives what is by no means an unfair sample of the extent of their information respecting foreign countries. When arguing, not on the state of nations, but on the very business-like subject of work to be done, and the amount of dollars to be given for it, he in support of some argument, said, "Cuttee outo Yingkelese king my tingke allo la-che Yingkelese man savay my ;" i. e. "With the exception of the Queen (so he meant it) of England, I think all Englishmen of consequence know me." He had been in the habit of doing work for the Company's factory, and the idea of the class is that China, being a large and fertile country, abounding in all good things, while all other places are small and barren, all our most important possessions must, therefore, lie in China; hence they conceive that our head-men, who come here, and principal merchants, are in fact the chiefs of what we call our country.

"It is in the great size and wealth and the numerous population of our country; still more in its excellent institutions, which may contain some imperfections, but which after all are immeasurably superior to the odd confused rules by which these barbarians are governed; but, above all, in its glorious literature which contains every noble, elegant, and in par-

ticular, every profound idea; every thing, in short, from which true civilization can spring, that we found our claim to national superiority." So thinks even the educated Chinese; and so the whole nation will continue to think until we have proved to them—no easy nor short task—our mental as well as our physical superiority. When some good works shall have been compiled in Chinese on natural law, on the principles of political economy, and on European national and international policy, then (after such works shall have obtained a wide circulation) when they perceive how much more deeply metaphysics have been explored by us than by them, and how studiously the best established principles of the sciences included under that term have been brought into practical operation by us, then, but not till then, will the Chinese bow before the *moral* power of the civilized west.

Need for Western books

At present they take the tone of superiors quite unaffectedly, simply because they really believe themselves to be superior. I do not remember meeting among educated Chinese with a single instance of any want of candour in regard to this subject; whenever their minds once acknowledge anything foreign as superior to the Chinese article of the like sort, they at once admit it to be so. For instance, when a mandarin who has never spoken to a barbarian, and never seen one of their books, who, perhaps, has hitherto always doubted that they had anything deserving of the name, is first shown one, he admires the decided superiority of the paper at once; but when he finds that instead of commencing at the left hand, as it (according to his belief) *of course* ought, its beginning is at the (Chinese) end; when he sees that all the lines, instead of running perpendicularly down the page, in the (to a Chinese) natural way, go sideling across it; when he further asks the meaning of the words in a sentence, and finds, as may easily happen, that the first comes last, and the last first, "Ah!" says he, without however the slightest intention of giving offence, "it's all confused, I see; you put the words anywhere, just as it suits your fancy. But how do you manage to read it?" When you, however, explain to him at length, that there is no *natural* way for the lines to run, and no absolutely proper place for books to begin; that there can scarcely be said to be any natural order for the succession of words in sentences, but that it is fixed by custom, and differs in every language, and that the uneducated Englishman would consider the Chinese method as quite absurd; when you explain this to him, and he begins to comprehend your reasoning, there is no obstinate *affectation* of contempt. He cannot, of course, have much respect for the shallow productions of barbarian minds, but he handles the book gravely, no longer regarding it as an absurdity.

The reason for the "superior" attitude of the people

All Chinese who have seen them, are perfectly ready to allow, that our ships, our guns, watches, cloths, &c., are much superior to their own articles of the like sort; and most of them would frankly admit us to be superior to them in all respects, if they thought so. But as above said, they do not. They are quite unable to draw conclusions as to the state of foreign countries, from an inspection of the articles produced or manufactured in them. They cannot see that a country where such an enormous, yet beautiful fabric as a large English ship is constructed—an operation requiring at once the united efforts of numbers, and a high degree of skill—*must* be inhabited by a people, not only energetic, but rich and free to enjoy the fruits of its own labour; that such a country *must*, in short, have a powerful government, good laws, and be altogether in a high state of civilization. All this the Chinaman, having never compared the various states of different nations, is not only quite unable to perceive of himself, but often not even when it is pointed out to him at great length. We have, it is true, the power to do some great and extraordinary things, but so have the elephants and other wild animals, he occasionally sees and hears of; in his eyes, therefore, we are all barbarians, possessing perhaps some good qualities, congregated perhaps together in some sort of societies, but without regular government, untutored, coarse, and wild.

Many references to Kiying have been made, especially as regards his part in the signing of the treaties of Nanking and Wanghia. A memorial to the emperor giving an explanation of the peculiar customs of the foreigners with whom he was thrown into contact and of his methods of handling them was found in the Yamen of Commissioner Yeh after the arrest of that personage in January, 1858. This document furnishes food for thought and debate as to the real attitude of Kiying. Whatever conclusion is reached it must be remembered that the position of Kiying in Canton after the war was one of exceptional difficulty and only a statesman of distinguished ability could have "ridden and reined" Manchus, Chinese, and Westerners as Kiying succeeded in doing.

In June, 1858, Messrs. Wade and Lay, interpreters to Lord Elgin, confronted Kiying with this document in Tientsin when he would have intervened in the peace negotiations. The result was his precipitate retreat followed a short time later by his suicide.

**114. Kiying's "Supplementary Memorial, detailing the peculiarities of the Receptions of the barbarian Envoys of different nations, and the Autograph (lit Vermilion) approval of his Majesty the Emperor." About 1850**

"The slave Keying, upon his knees, presents a supplementary memorial to the throne. The particulars of his administration of the business of the barbarian states, and management* of barbarian envoys, according to circumstances, in his receptions† of them, have formed the subject of different memorials of your slave.

"The supplementary conditions of trade having been also negotiated by him, he has had the honour to submit the articles containing those to the sacred glance of your Majesty, who has commissioned the Board of Revenue to examine and report upon them. All which is upon record. He calls to mind, however, that it was in the seventh moon of the twenty-second year (August 1842) that the English barbarians were pacified. The American and French have successively followed in the summer and autumn of this year (1845). In this period of three years barbarian matters have been affected by many conditions of change, and in proportion as these have been various in character, has it become necessary to shift ground, and to adopt alterations in the means by which they were to be conciliated and held within range.‡ They must be dealt with justly, of course, and their feelings thus appealed to; but to keep them in hand, stratagem (or diplomacy) is requisite.

**A policy of expediency**

"In some instances, a direction must be given them, but without explanation of the reason why in some, their restlessness can only be neutralised by demonstrations which disarm (*lit.* dissolve) their suspicions; in some, they have to be pleased, and moved to gratitude by concession of intercourse on a footing of equality; and in some, before a result can be brought about, their falsity has to be blinked, nor must an estimate (of their facts) be pressed too far.

"Bred and born in the foreign regions beyond (its boundary), there is much in the administration of the Celestial dynasty that is not perfectly comprehensible to the barbarians, and they are continually putting forced constructions on things, of which it is difficult to explain to them the real nature. Thus the promulgation of the Imperial decree (*lit.* silken sounds) devolves on the members of the great Council, but the barbarians respect them as being the autograph reply of your Majesty; and were they given to understand positively that (the decrees) are not in the handwriting of your Majesty at all, (so far from respecting them), there would,

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* *Lit.*, riding and reining.

† Receptions of them as inferiors in rank.

‡ Conciliated—*lit.*, pacified, as a person or an animal that is wild, and comforted. Kept within range—*lit.*, tethered.

on the contrary, be nothing in which their confidence would be secure.

Strange foreign customs

"The meal which the barbarians eat together they call *ta-tsan* (dinner).* It is a practice they delight in, to assemble a number of people at a great entertainment, at which they eat and drink together. When your slave has conferred honour upon (has given a dinner to) the barbarians at the Bogue or Macao, their chiefs and leaders have come together, to the number of from ten to twenty or thirty; and when, in process of time, your slave has chanced to go to barbarian residences† or barbarian ships, they have, in their turn, seated themselves round in attendance upon him, striving who should be foremost in offering him meat and drink. To gain their good-will, he could not do otherwise than share their cup and spoon.

"Another point: It is the wont of the barbarians to make much of their women. Whenever their visitor is a person of distinction, the wife is sure to come out and receive him. In the case of the American barbarian Parker, and the French barbarian Lagréné, for instance, both of these have brought their foreign wives with them; and when your slave has gone to the barbarian residences on business, their foreign women have suddenly appeared and saluted him. Your slave was confounded,‡ and ill at ease; while they, on the contrary, were greatly delighted at the honor done them. The truth is, as this shows, that it is not possible to regulate the customs of the Western states by the ceremonial of China; and to break out in rebuke, while it would do nothing toward their enlightenment (*lit.* to cleave their dulness), might chance to give rise to suspicion and ill-feeling.

"Again, ever since amicable relations with them commenced, the different barbarians have been received on something of a footing of equality. One such interview is no longer a novelty; it becomes more than ever a duty to keep them off, and to shut them out. To this end, on every occasion that a treaty has been negotiated with a barbarian State, your slave has directed Hwang Aw-tung, Commissioner of Finance, to desire its envoy to take notice, that a high officer in China, administering foreign affairs, is never at liberty to give or receive any thing on his private account. That, as to presents, he would be obliged peremptorily to decline them;

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* The word used by our Canton servants for dinner; the great meal.

† The word *lan*, loft or story, is not that applied to the dwelling-houses of Chinese. The mandarins use it specially when speaking to their own people of our houses.

‡ Confounded, almost awe-stricken, as Confucius is described to have been in the presence of his ruler.

were they to be accepted, and the fact concealed, the ordinances of the Celestial dynasty on the subject are very stringent; and to say nothing of the injury he would inflict on the dignity of his office, it would be hard (for the offender) to escape the penalty of the law. The barbarian envoys have had the sense to attend to this; but in their interviews with him, they have sometimes offered your slave foreign wines, perfumery, and other like matters, of very small value. Their intention being more or less good, he could not well have rejected them altogether, and to their face; but he has confined himself to bestowing on them snuff-bottles, purses, and such things as are carried on the person, thereby putting in evidence the Chinese principle of giving much, although but little has been received.* Again, on the application of the Italians, English, Americans, and French, your slave has presented them with a copy of his insignificant portrait.

Exchange of gifts

Notes on comparative government

"To come to their government.† Though every State has one, there are rulers, male or female, holding office permanently for the time being. With the English barbarians, for instance, the ruler is a female, and with the French and Americans, a male. The English and French ruler reigns for life; the American is elected by his countrymen, and is changed once in four years, and when he retires from his throne he takes rank with the people (the non-official classes).

"Their official designations are also different in the case of each nation. To represent these, they for the most part appropriate (*lit.* filch) Chinese characters, boastfully affecting a style to which they have no claim, and assuming the airs of a great power. That they should conceive that they thereby do honor to their rulers, is no concern of ours while, if the forms observed towards the dependencies (of China) were to be prescribed as the rule in their case, they would certainly not consent, as they neither accept the Chinese computation‡ of time, nor receive your Majesty's patent (of royalty), to fall back to the rank of Cochin-China or Lewchew. And with people so uncivilized as they are, blindly unintelligent in styles and modes of address, a tenacity in forms of official correspondence, such as would duly place the superior above and the

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* Thus, according to the second of the Confucian books, should it be between the ruler and the nobles dependent on him.

† *Lit.*, their sovereign seniors.

‡ *Lit.*, the first and last moons of the year, as computed by China, who issues her calendar to Corea, if not to her other dependencies. The sovereigns of Corea, Lewchew, and Cochin-China are invested by a Chinese envoy, and receive a patent from their Emperor as their Suzerain.

inferior below, would be the cause of a fierce altercation (*lit.* a rising of the tongue and a blistering of the lips): the only course, in that case, would be to affect to be deaf to it (*lit.* to be as though the earlap stopped the ear); personal intercourse would then become impossible; and not only this, but an incompatibility of relations would immediately follow, of anything but advantage certainly to the essential question of conciliation. Instead, therefore, of a contest about unsubstantial names, which can produce no tangible result, (it has been held) better to disregard these minor details, in order to the success of an important policy.

"Such are the expedients and modifications which, after close attention to the barbarian affairs, a calculation of the exigencies of the period, and a careful estimate of the merits of the question, as being trivial or of importance, admitting of delay or demanding despatch, it has been found unavoidable to adopt. Your slave has not ventured to intrude them one by one upon the sacred intelligence, partly because they were of themselves of small significance, partly because there was no time* (so to report them). The barbarian business being now on the whole (*lit.* in the rough) concluded, as in duty bound, he states them detailedly, one and all, in this supplementary despatch, which he respectfully presents to your Majesty.

"*Reply in the Vermilion Pencil.*

"It was the only proper arrangement to have made. We understand the whole question." Imperial rescript

### *Section 24. Imperial Toleration of Christianity*

The government of King Louis Philippe of France dispatched Monsieur Théodose M. M. J. de Lagrené to negotiate a treaty with China in 1844. The treaty was successfully arranged, modeled on the American Treaty of Wanghia of July, and signed on October 24.

M. de Lagrené stayed in China from August, 1844, to January, 1846. During this time he accomplished a noteworthy work for the Christian religion in the Chinese empire. Christianity had had a varied career in this country prior to the decree of the emperor Yung-cheng in 1724 expelling the Christian priests and ordering the destruction or confiscation of their churches.

* He had to act at once.

The student of the foreign policy of France will do well to study the claims of France to protect the missions of the Roman church in eastern countries. When this policy is clearly comprehended it will not be a matter for surprise that M. de Lagrené worked through Kiying for the restoration of a policy of toleration for the workers of the Roman church. Sir J. F. Davis writes and quotes as follows on this subject:

**115. A French view of Roman Catholic missions**

The observation of a French writer in the *Revue des deux Mondes*, one who appears to have accompanied M. de Lagrené, the French minister, in his visit to China, shall serve as an introduction to the subject of this chapter. "Let us," says he, "in our policy and our commerce imitate the conduct, at once prudent and courageous, of the Catholic missions, which have for more than two centuries exerted such noble efforts in the cause of religion. Protected and proscribed, honored and persecuted by turns, raised to-day to the dignities of the imperial court to be thrown into prison or conducted to execution to-morrow, the missionaries persevered in their glorious task, without being for a moment dazzled by the prospects of a precarious favour, or cast down by the inflictions of the most fearful hostility. All the Catholic nations of Europe, French, Spaniards, Italian, Portuguese—all their congregations, Lazarists, Dominicans, Franciscans, Jesuits, have been leagued in this remote crusade to take Asia in the rear, and reduce to the spiritual dominion of Rome the most ancient, the most civilized, but at the same time the most corrupt of Asiatic communities. China is at this day parcelled out into bishoprics or vicariats apostolic, wherein the new apostles have divided among themselves the rude labours of conversion. Their progress is slow, but this has not damped their hopes. The faith advances only by insensible degrees, but it never recedes. God only knows how many years or how many centuries, how much devotion, and how much martydom may be required to complete the work.

**French interested in missions while England and America specialize in commerce!**

"France has at all times distinguished herself in the first rank of Christian nations, and in China she has not been wanting in the duties imposed by her traditions, or suggested by the exigencies of the public good. This may serve at least as some compensation for the inferior place which we have held in the order of material interests; and if we are obliged to acknowledge the extent to which England and the United States have eclipsed us by the still unceasing growth of their commerce and navigation, we may, in our

turns, pride ourselves on the brilliant services rendered by the Catholic missions of France to the cause of religion and civilisation."

M. de Lagrené communicated with Kiying on the subject of toleration of Christian workers among the Chinese people. The latter memorialized the emperor Tao Kuang on the question and the emperor agreed briefly, as may be seen in the conclusion of the paper.

**116. Imperial rescript granting toleration to Christianity**

Kiying, imperial commissioner, minister of state, and governor-general of Kwangtung and Kwangsi, respectfully addresses the throne by memorial.

**Arguments against and for Christianity in China**

On examination it appears, that the religion of the Lord of Heaven is that professed by all the nations of the west; that the main object is to encourage the good and suppress the wicked; that, since its introduction to China during the Ming dynasty, it has never been interdicted; that subsequently, when Chinese, practising this religion, often made it a covert for wickedness, even to the seducing of wives and daughters, and to the deceitful extraction of the pupils from the eyes of the sick, government made investigation and inflicted punishment, as is on record; and that, in the reign of Kiaking, special laws were first enacted for the punishment of the guilty. The prohibition therefor was directed against evil-doing under the covert of religion, and not against the religion professed by western foreign nations.

Now the request of the French Ambassador, Lagrené, that those Chinese who, doing well, practise this religion, be exempt from criminality, seems feasible. It is right, therefore, to make request, and earnestly to crave celestial favour, to grant that, henceforth, all natives and foreigners without distinction, who learn and practise the religion of the Lord of Heaven, and do not excite trouble by improper conduct, be exempted from the charge of criminality. If there be any who seduce wives and daughters, or deceitfully take the pupils from the eyes of the sick, walking in their former paths, or are otherwise guilty of criminal acts, let them be dealt with according to the old laws. As to those of the French and other foreign nations, who practise the religion, let them only be permitted to build Churches at the five ports opened for commercial intercourse. They must not presume to enter the country to propagate religion. Should any act in opposition, turn their backs upon the treaties, and rashly overstep the boundaries, the local officers will at once seize and deliver them to their respective consuls for restraint and correction. Capital punishment is not to be rashly inflicted, in order that the

**Churches should be built only in treaty ports**

exercise of gentleness may be displayed. Thus peradventure the good and the profligate will not be blended, while the equity of mild laws will be exhibited.

This request, that well-doers practising the religion may be exempt from the charge of criminality, he (Kiying), in accordance with reason and his bounden duty, respectfully lays before the throne, earnestly praying the august Emperor graciously to grant that it may be carried into effect. A respectful memorial.

Taokwang, 24th year, 11th month, 19th day (December 28th, 1844), was received the rescript from the vermilion pencil, "Let it be according to the counsel (of Kiying)." This from the Emperor.

The rescript tolerating Christianity was too brief to be clear and satisfactory to the French envoy. Accordingly negotiations were renewed, the whole question in its varied meanings and interpretations was gone over, and a "more explicit declaration was arrived at, establishing the liberty of the Catholic worship in the Celestial empire." An excerpt from this document is given.

**117. Excerpt from an imperial proclamation on Christianity**

It appears that the religion of the Lord of Heaven mainly consists in exhorting to virtue and dissuading from vice; but on the former occasion we have not been sufficiently explicit, and it is to be feared that difficulties might arise on this subject through the various provinces. We therefore now explain that the religion of the Lord of Heaven consists in periodical assemblages for worship, in venerating the cross and images, and reading aloud the books of the said religion; customs which are proper to the worship in question, so much so that without them it cannot be considered as the religion of the Lord of Heaven. Since now an exemption from punishment has been granted to the adherents of this worship, those who assemble for the adoration of the Lord of Heaven, for the veneration of the cross and images, for reciting the sacred books, and preaching the doctrine which exhorts to virtue, are professing the virtuous exercise of the said religion, and must not be in any way hindered; and wherever persons set up places for the worship of the Lord of Heaven, for the adoration of images, and exhorting to virtue, they may in this respect follow their own inclinations.

The documents given above were felt by non-Roman Catholic workers to be too narrow in their application

and not clearly applicable to other workers for the Christian religion. The wishes of these were made known to Kiying. On December 22, 1845, the latter issued a satisfactory document.

118. Kiying's assurance of freedom for all forms of Christianity

Keying, high imperial commissioner, sends the following reply to the honourable Envoy's despatch concerning equal toleration of the religion professed by the English. When I before concluded the commercial treaty with the United States, one of the articles gave permission to erect chapels in the five ports, and all nations were to have the same privilege without distinction. Subsequently the French envoy, Lagrené, requested that natives, if they were good men, should be entirely exempted from punishment on account of their religion. I, the great minister, then again represented this matter to the throne, upon which the imperial assent was received to its being done as proposed, without drawing any distinction between the rites of the several religions. But as some of the local mandarins seized crucifixes and images, and burned them, it was subsequently settled that permission should be specifically given to worship them.

Freedom of religion to virtuous Chinese

I do not understand the lines of distinction between the religious ceremonies of the various nations; but virtuous Chinese will by no means be punished on account of their religion. No matter whether they worship images or do not worship images, there are no prohibitions against them if, when practising their creed, their conduct is good. The honourable Envoy need, therefore, be no longer solicitous in the matter; for all Western nations will in this respect be treated on the same footing, and will receive equal protection." The proclamation which ensued upon this was reported to me, by all the consuls, as having been duly promulgated at each of the Five Ports.

Finally on February 20, 1846, a further imperial decree ordered the restoration of church property which had been confiscated in many places almost a century and a quarter earlier.

119 Imperial decree ordering restoration of church property

Kiying of the imperial clan, Junior Guardian of the heir apparent, a vice high chancellor, a President of the Board of War, a member of the Censorate, governor-general the Two Kwang, etc., etc., and Hwang, Vice-President of the Board of War, governor of Kwangtung, etc., etc., having respectfully copied out, promulgate the following imperial decree, received the 20th of February, 1846, in reply to a memorial laid before the throne for the purpose of securing immunity to those who profess the religion of the Lord of Heaven.

"On a former occasion Kiying and others laid before US a memorial, requesting immunity from punishment for those who, doing well, profess the religion of heaven's Lord; and that those who erect churches, assemble together for worship, venerate the cross and pictures and images, read and explain sacred books, be not prohibited from so doing. This was granted. The religion of the Lord of Heaven, instructing and guiding men in well-doing, differs widely from heterodox and illicit sects; and the toleration thereof has already been allowed. That which has been requested on a subsequent occasion, it is right in like manner to grant.

"Let all the ancient houses throughout the provinces, which were built in the reign of Kanghi, and have been preserved to the present time, and which, on personal examination by the proper authorities, are clearly found to be their bona-fide possessions, be restored to the professors of this religion in their respective places, excepting only those churches which have been converted into temples and dwelling houses for the people.

"If, after the promulgation of this decree throughout the provinces, the local officers irregularly prosecute and seize any of the professors of the religion of the Lord of Heaven who are not bandits, upon all such the just penalties of the law shall be meted out.

"If any under a profession of this religion do evil, or congregate people from distant towns seducing and binding them together; or if any other sect or bandits, borrowing the name of the religion of the Lord of Heaven, create disturbances, transgress the laws or excite rebellion, they shall be punished according to their respective crimes, each being dealt with as the existing statutes of the empire direct.

"Also, in order to make apparent the proper distinctions, foreigners of every nation are, in accordance with existing regulations, prohibited from going into the country to propagate religion.

"For these purposes this decree is given. Cause it to be made known. From the emperor."

As it behoveth us, we, having copied out, promulgate the decree. Let all the officers, the military and the people understand and yield the obedience that is due. Oppose not. A special proclamation. March 18th, 1846.

### *Section 25. The Opening of the Ports*

Articles II and X of the Treaty of Nanking provided for the opening of five ports in which foreign merchants and their families might settle and carry on trade. In

these ports they were to be permitted to trade with "whatever persons they please."

120. Sir John Davis's account of the five ports

One of the most important articles in the treaty of Nanking was that involving the selection of the five ports of trade. This selection was made (with the exception of Canton) under the obvious disadvantage of that very imperfect topographical knowledge which we at that time possessed of the country. Ningpo and Amoy were, of course, named in the instructions from home, as having been formerly ports of European trade; but Shanghae and Foochow-foo, named in the same instructions, were entirely new. Shanghae had been at least visited, and has turned out, on trial, a most fortunate choice. Foochow-foo was practically unknown to us, but recommended by its geographical position with reference to the black tea districts. This last must be acknowledged to have proved a decided failure, after more than seven years' trial.

To take them in their turns from the south.

Canton

1. Canton, from its position, was originally very ill-suited to the European trade, and was, perhaps, made the sole port by the Chinese government on account of its being the farthest distant from Peking. Its remoteness from the tea-growing provinces, the heat of its climate, ill-suited to English constitutions and to the consumption of our manufactures, and indeed all its features, except the navigation of the port, were natural objections, surmounted by the mere fact of there being no other place to which Europeans could repair. The trade, therefore, large as it was, had been in a manner forced; but still its established importance, as the growth of so long a period, rendered it likely that any removal must be the work of time and experiment, and not to be effected in a very short period. . . .

Amoy

2. The chief drawback at Amoy has been the comparative poverty of the population and the smallness of the trade, evils which our commerce itself may cure. The government officers were at first inclined to be troublesome, and attempts were made to form monopolies, as well as to persecute Chinese who had been connected with us; but these were successfully put down. . . .

Foochow

3. Foochow-foo was selected with less actual knowledge of the locality than any of the new ports. Captain Collinson's accurate survey of the river has proved its unfavourable, if not dangerous nature, and there is the same disadvantage as at Canton, that no vessel of any size can approach the city within eight miles. . . . The Min is crowded with rocks and shoals, the ebb runs eight knots, and there is a rise and fall of eighteen feet. The picturesque beauties of the stream are as remarkable as its commercial unfitness, and it closely

resembles some parts of the Rhine. To the natural disadvantages of this port were added the unfriendly intrigues of the provincial governor Lew Yunko. . . .

Ningpo

4. Ningpo is sufficiently well situated as to facility of access, lying about eleven or twelve miles up the river from its entrance at Chinhae. . . . The extremely favourable disposition of the people, and the beautiful silks of this place, have not prevented its being cast completely into the shade by the near vicinity and greatly superior advantages of the next new port to the north.

Shanghai

5. Shanghai, notwithstanding some difficulties of approach on the outside of its port, admits of merchant vessels entering opposite the city. Here a fine commercial site has been obtained for the British trade, comprising a space of more than a hundred acres for building purposes. It is an airy and open spot, about a mile on the outside of the town, where a branch of the river conducts to Soochow, and forms an angle with the main stream.

In the *Journal of Occurrences* of the *Chinese Repository* for June, 1849, is to be found a section dealing with several topics of importance in the early history of the International City of Shanghai.

The rule mentioned below in reference to the "concession française," in which the registration of land of various nationals in that "Concession" is assumed to take place at the French Consulate, was protested against by the British as well as the American consul. It has never been enforced in the case of non-French owners.

The raising of his nation's flag by the American consul was of more importance than might at first be realized. Both Lord Palmerston and Lord Aberdeen had officially announced that Great Britain sought for no exclusive privileges in China. The right for the flags of all nations to fly in Shanghai is acknowledged and applied, thus that city became an "International Settlement."

121. The origin of the French concession, and the international settlement of Shanghai

It is known probably to most of our readers, that the first British consul at Shanghai, Captain Balfour, after having secured for himself a residence in the city, and free ingress and egress for his countrymen at all times, obtained from the local

authorities for British residents, a very large plat of ground between the Yángking Páng on the south, and the Súchau creek on the north, extending from the Hwángpú westward. It was stipulated, if we have been correctly informed, that over this plat no other flag than the British should be hoisted; that no part of this ground should be rented to other than British subjects, except th ough and by the intervention of the British consul; and that all the Chinese dwelling thereon should as speedily as possible be removed, and none other be allowed to rent or build. Acting on the same principle, the French consul has recently negotiated for another plat, as will be seen by the following translation.

Proclamation of Intendant Luh

*Proclamation by Luh, seven times recorded for meritorious deeds, advanced three grades, and by imperial decree appointed military intendant of the departments of Súchau, Sungkiáng and Táitsáng in the province of Kiángsú.*

Whereas the French nation enjoys free commerce at Shânghâi; and whereas I, the intendant, have recently received from the consul, C. de Montigny, a communication to the following effect:

Position of the French at the five ports

"In the autumn of 1844, the imperial commissioner and governor-general of Kwangtung and Kwangsi, Kiying, and the imperial commissioner and plenipotentiary Lagrené, in behalf of their respective governments, after due deliberation agreed,—and the same was by memorial reported to the emperor, and his majesty was pleased to grant by edict,—that all people of France coming to the five ports to reside, no matter whether they be many or few, shall be permitted, in accordance with the second article of the Treaty, to rent houses and factories, and also ground on which they themselves may build houses, factories, churches, hospitals, alms-houses, colleges and cemeteries; that the Chinese local officers and the resident French consul shall together consult and determine where it shall be proper for the French residents to dwell or to build; that in all places, where houses or lands are rented, both parties shall conform to the local current price—Chinese officers must prevent their people from demanding exorbitant prices, and the French consul must take care that his countrymen do not force down the price below what is right; that at the five ports, the number of houses and extent of ground shall not be so restricted that the French residents can not realize any profits therefrom; and that if the Chinese people destroy or profane any of the aforesaid churches, burial-places, &c., the Chinese officers shall according to law severely punish the offenders—For a long time, the several nations [having treaties with the Chinese] have acted in conformity with these stipulations—as is on

record. But the French, not yet having rented any ground at Shanghai, it is proper that we should meet and deliberate on this matter."

Accordingly, on the receipt of the foregoing communication, I, the intendant immediately met the French consul, M. de Montigny, to confer with him on this matter, and a site was agreed upon. . . . Should people of other nations wish to rent or build within the above-named limits, they shall repair to the French consul, who will deliberate and act in their behalf. A special proclamation, issued at Shanghai, 6th April, 1849.

Claim made by the French consul

Immediately on the appearance of this proclamation, the American consul, Mr. Griswold, entered his protest against it. We may remark here also that Mr. Griswold, on receiving his appointment as consul some six months ago, at once hoisted the American flag at his residence, within the British consular ground. To this hoisting of the flag both the táutái* and the British consul objects. The flag however, did not come down. The position taken by the U. S. A. Consul is against *the principle of exclusive privileges and exclusive rights*, one of the very worst features of Chinese policy. Suppose there are fifty consuls in Shanghai, and each follows out this principle, and obtains a plat of ground of equal extent with that obtained by the British consul. And suppose, further, that the same is done by a like number of consuls, or even by a much smaller number, at Canton, Amoy, Fuhchau, and Ningpo, what would be the consequence? Where would ground enough be found to meet the demand? It was well, it was necessary at first, for the British consul at Shanghai to take a strong position with regard to his jurisdiction. But marking off a large extent of ground—far more than is now required, or for many years is likely to be required, and claiming over it an exclusive jurisdiction is, we think, what would not be allowed to foreign consuls in any European state. It seems to us a wrong principle, which can not fail of being injurious in its effects. Entertaining these views, we are glad to know that Mr. Griswold has had independence sufficient to hoist his country's flag, and to protest as he has done, against parceling off this piece of ground to the inhabitants of one nation, and that piece to those of another nation. Foreigners should be allowed, we think, to rent houses and land, and to build at all the five ports, in such places as they please—enjoying, in this matter, the same rights and privileges as they enjoy in other countries.

Raising of the American flag in Shanghai

* The British consul having first objected to the Tao-tai [Ed. note].

The government of the rapidly growing foreign settlement of Shanghai with its large native element was a difficult question to solve. In 1845 the "first land regulations were agreed to between the Taotai and the British consul." On July 5, 1854, a new set of land regulations was published for the government of the international community. The article quoted below was the most important, inasmuch as it, says H. B. Morse, "amplified in future years, laid the foundation of the existing autonomous government of the International Settlement of Shanghai, though at the time it applied only to the international community then occupying the English settlement."

122. Shanghai Land Regulation No. 10

"X. *Roads and Jetties, Assessment on Land and Wharfage.*—It being expedient and necessary that some provision should be made for the making of roads, building public jetties and bridges and keeping them in repair, cleansing, lighting, and draining the settlement generally, and establishing a watch or police force, the foreign Consuls aforesaid shall at the beginning of each year convene a meeting of the renters of land within the said limits, to devise means of raising the requisite funds for these purposes; and at such meeting it shall be competent to the said renters to declare an assessment in the form of a rate to be made on the said land or buildings, and in the form of wharfage dues on all goods landed at any place within the said limits; and to appoint a Committee of three or more persons to levy the said rates and dues and apply the funds so realised to the purposes aforesaid, or in such a manner as may be agreed and determined upon at the said meeting; and to that end the said Committee shall be empowered to sue all defaulters in the consular courts under whose jurisdiction these may be; and in case any one or more of the said defaulters have no consular representative at Shanghai, then the Intendant of Circuit (Taotai) shall, upon application of the Road Committee transmitted through the foreign consuls, recover from such defaulters the amounts due from them of land assessment or wharfage dues, and pay the same to the said Committee; moreover, at such yearly meeting the accounts of the Committee for the past year shall be laid before the assembled renters for their approval and sanction. It shall also be competent for the foreign consuls, collectively or singly, when it may appear to them needful, or at the requisition of the renters

The ratepayers' meeting

of land, to call a public meeting at any time, giving ten days' notice of the same, setting forth the business upon which it is convened, for the consideration of any matter or thing connected with the land; provided always such requisition shall be signed by not less than five of the said renters, and that it set forth satisfactory ground for such request. The resolution passed by a majority at any such public meetings on all such matters aforesaid shall be valid and binding upon the whole of the renters of land within the said limits if not less than one-third of them are present. The senior Consul present at such meeting shall take the Chair, and in the absence of a Consul, then such renter as the majority of voters present may nominate. If renters of land in public meeting assembled, as herein provided, decide upon any matter of a municipal nature, not already enumerated, and affecting the general interests, such decision shall first be reported by the Chairman to the Consuls, for their joint concurrence and approval, without which approval officially given, such resolution cannot become valid and binding upon the renters as a body."

Power of the consuls

## *Section 26. The Tsingpu Affair, 1848*

By Article VI of the Treaty of the Bogue "English merchants and others" residing at the treaty ports were allowed to travel in the surrounding country "certain short distances to be named by the local authorities, in concert with the British Consul, and on no pretence for purposes of traffic." In the case of Shanghai it was arranged that trips might be taken within the territory that could be visited and returned from within a period of twenty-four hours. This was later fixed as a radius of thirty miles.

On March 8, 1848, an unprovoked attack was made on three English missionaries at Tsingpu within this radius by some Shantung junkmen.

123. The incident itself

Within little more than a year after the arrival of Mr. Alcock at his new post an outrage was perpetrated on the persons of three English missionaries, which led to the first and the last important struggle between the British and Chinese authorities in Shanghai. The assailants of Messrs Medhurst, Lockhart, and Muirhead, the three missionaries concerned, were not the peaceably disposed natives of the

place, but the discharged crews of the Government grain-junks, who had been cast adrift by the officials and left to shift for themselves after the manner of disbanded soldiers. The attack took place at a small walled town called Tsingpu, within the authorized radius, and the three Englishmen came very near losing their lives. Mr. Alcock lost not a moment in demanding full redress from the Chinese authorities, who instinctively sheltered themselves under the old evasive pleas which had proved so effective at Canton. It happened that the highest local official, the Taotai, had had experience of the southern port, and, entirely unaware that he was confronted in Shanghai with a man of very different calibre from any he had encountered before, he brought out all the rusty weapons of the Canton armoury, in sure and certain hope of reducing the consul's demands to nullity. Evasion being exhausted, intimidation was tried, and the consul and his interpreter were threatened with the vengeance of an outraged people, quite in the Canton manner. But intimidation was the very worst tactics to try on two Englishmen of the stamp of Alcock and Parkes, and when that card had been played the Chinese game was up.

The situation was one of those critical ones that test moral stamina, that discriminate crucially between a man and a copying-machine. It was also one which illuminated, as by an electric flash, the pivotal point of all our relations with China then as now, for the principle never grows old. It is therefore important to set forth the part played by the responsible officer, the support he obtained, the risks he ran, and the effective results of his action. An absolutely unprovoked murderous outrage had been perpetrated on three Englishmen; the Chinese authorities refused redress with insolence and evasion; acquiescence in the denial of justice would have been as fatal to future good relations at Shanghai as it had been in the previous decade in Canton. What was the official charged with the protection of his countrymen to do? He had no instructions except to conciliate the Chinese; there was no telegraph to England; communication even with the chief superintendent of trade at Hongkong, 850 miles off, was dependent on chance sailing vessels. Delay was equivalent to surrender. Now or never was the peremptory alternative presented to the consul, who, taking his official life in his hands, had to decide and act on his own personal responsibility. Had time allowed of an exchange of views with the plenipotentiary in Hongkong, we know for certain that nothing would have been done.

The position in which Mr. Alcock was placed

The attack on the three Englishmen was considered by Consul Alcock as a blow at British prestige, as well

as a crime of assault. The consul lost no time in taking up the matter with the Chinese authorities, hoping that a peaceable arrangement could be arrived at. The Intendant complained to Alcock that the junkmen who had committed the outrage "pay no respect to laws"—and, besides, the wounded Englishmen were outside the limit prescribed by the treaty. The first complaint was a mistake in policy, and the second a mistake as to fact: accordingly Consul Alcock acted.

**124. Consul Alcock's action**

...Accordingly, when five days had passed, and nothing but ineffectual promises had been given, the Consul made the memorable announcement that he would stop all payment of duties by British ships until full satisfaction should be obtained; that meanwhile not a single grain junk should leave the river; and that if the chief criminals were not apprehended within forty-eight hours, he would take 'such other measures as the due enforcement of our Treaty rights might seem to demand.'

To realize the full audacity of this spirited announcement it must be stated that there were no less than 1400 junks, laden with grain for Peking, and 50 war junks in the river, backed by at least 13,000 discontented vagabonds in the neighbourhood; and that, to overawe this host by sea and land, the Consul had to rely upon one single sloop-of-war. Commander Pitman of H. M. S. *Childers*, however, responded most pluckily to the call, instantly supported the Consul's action, and summoned the brig *Espiègle* to his aid.

In vain the local authorities tried to intimidate the Consul, and represented to him the danger of his violent measures and indignant language in the face of an excited and lawless populace, among whom he and his family lived wholly unprotected. The Consul and Interpreter continued in perfect unconcern to traverse the crowded streets in their daily walks to and from the consular office outside the walls, and even the ladies of the Consulate made a point of getting into their chairs and making their calls upon the English community in the suburbs, just as though nothing unusual had occurred. In vain the Taotai ordered the grain junks to put to sea. Alcock instantly informed the masters that they would be stopped by the *Childers*, and the junkmen dared not move. Still the local authorities did not give up the game. They brought people to personate the criminals: they tried to pass the Government grain out, covered with straw and bricks, and when detected and turned back, they sent down empty junks,

and then tried to load them in the reach below the blockade. It was all of no use. Commander Pitman boarded every boat in the river and let not a grain of rice go out. Delays, excuses, and sham arrests of pretended criminals went on for some days, and at last the Consul played his trump card. He sent his Vice-Consul with Parkes on H. M. S. *Espiègle* to the Governor-General at Nanking, with a demand that he would at once see justice executed.

If the stoppage of the Imperial supplies had alarmed the Foochow mandarins, the daring mission of a British man-of-war to Nanking caused a panic. There was no more evasion. The Provincial Judge himself arrived. Ten prisoners were caught, identified, placed in the cangue, and ordered to be thus exposed daily for a month on the Bund as a public warning. Reparation had at last been effected, and after fifteen days' strict blockade of the port, the *Childers* permitted the 1400 imprisoned junks to depart in peace.

The result of his action was discussed by Mr. Alcock in his "Note on our present position and the state of our relations with China," under date of January 19, 1849.

125. The result of the affair

The most important of the results obtained was the demonstration of a power to shift the centre of action from a port where no progress could be made to a vulnerable point nearer to Peking where immediate attention could be commanded, and this was supplied by the mission to Nanking.

From these two circumstances—the serious deterioration of our position, and the prompt and efficacious remedy provided—an important conclusion may be drawn as to our means of effecting any required change in our relations.

The strategic center of the empire

In an empire vast in area as China, with an overflowing population, it is no slight advantage to be enabled, without a single battle, to invest and vigorously blockade the capital; and this it is in our power to effect by a small squadron at the mouth of the Grand Canal in the early spring, when Peking is dependent for its supplies for the year on the arrival of the grain and tribute junks by that channel. A more effective means of coercion this than the destruction of twenty cities on the confines of the Chinese territory or on the coast. With a starving Court and population around him, flight or concession appears to be the emperor's only alternatives.

The facility and the certainty with which this object may be attained are important considerations. The insurmountable obstacles to the advance of a European army into the interior are rendered nugatory and altogether unimportant by the knowledge of this highroad to the heart of the empire.

The maintenance of our present relations is probably in no slight degree due to the secret consciousness of their weakness at this point.

In the same "Note," Section III, the policy involved in his settlement of the Tsingpu affair is dwelt upon.

126. The policy involved in Alcock's action

A salutary dread of the immediate consequences of violence offered to British subjects, the certainty of its creating greater trouble and danger to the native authorities personally than even the most vigorous efforts to protect the foreigner and seize their assailants will entail, seems to be the best and only protection in this country for Englishmen. When the Chinese authorities of all ranks, from the viceroy at Nanking to the lowest police runners, are thoroughly imbued with this feeling, it will not only rouse them to greater energy but find its way to the populace by certain steps, and render such exertion unnecessary, and the nationality of an Englishman will become his safeguard. Hence the impolicy, not to say impossibility, of treating instances of personal outrage such as that of Tsingpu as police cases, and leaving redress to the ordinary administration of Chinese laws. Where justice exists only nominally, and her image should be represented not only blind but deaf, deplorable consequences would result from such a course. There seems to be a democratic spirit among the Chinese which renders the authorities especially averse to risk collision with the populace or any popular feeling. The Chih-hsien is himself exposed to insult and violence if he attempt to enforce the collection of the taxes in a bad season, and but lately he was besieged here in his own *yamên*. Not ten days ago the Taotai paid 1600 taels of silver to secure a piece of building-ground at the urgent demand of the French consul, rather than exert his authority to compel the owners to take the fair value of $400 offered, and upon the posts put up to mark the boundaries these parties did not hesitate to prohibit its appropriation. The principal check upon the people, and safeguard for the authorities in cases of popular disturbance, seems to be the conviction under which every Chinese quails, of the terrible vengeance that may pursue them and their families, the tumult once over, if they should have been marked or recognised. In proportion as the magistrate is helpless before numbers, is his power large of wreaking summary and vengeful punishment upon each of the individuals that may form the mob, once separated from each other.

The balancing of power between officials and people

### *Section 27. The Canton City Question*

Among the questions left unsettled by the first Anglo-Chinese War, not the least disturbing and trouble breeding was that of the right of entry by foreigners into Canton city. In spite of the Nanking treaty and the opening of the five ports the merchants were restricted in Canton to the old Factory area; about three hundred foreigners were bound by a plot of some twenty-one acres.

As in most of the questions arising between the Chinese and the foreigners there were two sides to the argument. It depended in this case on the use of a preposition. The Treaty of Nanking uses the word "at" in referring to the ports, but the English maintained that the meaning was "in." There were not lacking unprejudiced witnesses of the struggle who held that the Chinese were within their treaty rights in refusing the right of settlement *in* the walled city of Canton. The English insisted on the right not because they wished to live inside the city, but because they considered the dispute a matter of principle. In the other four ports they were allowed to reside. In Shanghai, for example, since the right to live within the walls was not disputed, they soon chose to live outside, hence the rise of the International Settlement. The principle involved, then, was the old one of *equality*. It is perhaps true, as some argued, that the Cantonese feared the conquest of the city by the English if they were allowed to enter and settle within it, but the real source of the difficulty was the refusal of the Cantonese to treat the foreigner as an equal. This could have but one result.

127. The background of the question

It has always been, and still is, the practice of the Chinese authorities to make use of the populace in their aggressions on strangers. There is at all times in China, as in most countries, an inexhaustible fund of anti-foreign sentiment

Use by the government of the "people"

ready to be drawn upon by agitators, whether within the Government circle or not, and subject also to spontaneous explosion. By working on these latent passions, and inflaming the popular mind by the dissemination of odious calumnies, Government could at any moment foment an anti-foreign raid. It was a political engine in the use of which Chinese officialdom had become thoroughly expert. It was tempting by its cheapness, and it had, moreover, the special fascination for them that in the event of being called to account for outrage they could disavow the excesses of the "poor ignorant people." Such a force, however, is not without its drawbacks to those who employ it. Like a fire, which is easy to kindle but hard to control, the popular excitement was apt to extend beyond the limits assigned by its instigators, and many an engineer has thus been hoist by his own petard. . . .

But no special penetration is needed to discover the falsity of a policy of allowing an organised government to plead its inability to control its own populace. Once admit such a plea and the security of the stranger is gone, for he has relinquished his hold on the Government without being compensated by any alternative security. Such was the state of things which had been allowed to grow up in Canton, producing the only fruit possible—outrage, ever increasing in violence and ending in massacre.

In May, 1841, Captain Elliot moved the English military and naval forces up the river to attack Canton. A few days' fighting placed the city in his power; one more action would have captured it. At this moment the Chinese commissioners capitulated and, to save the actual capture of the place, agreed to pay a ransom of six millions of dollars. The escape of the city at this time by the use of ransom through diplomacy caused trouble later.

128. The effect of ransoming the city in 1841

. . . By one of those aberrations of judgment which it is scarcely unfair to call characteristic, Captain Elliot desired to save Canton, of all places in the Chinese empire, from the pressure of war, and in 1841, in the midst of hostilities on the coast, he accepted ransom for the city, a transaction so inexplicable that her Majesty's Treasury, at a loss what to do with the money, after much explanatory correspondence declared itself unable to appropriate the fund in the manner intended by her Majesty's representative. The arrogance of

the Cantonese had been so immeasurably puffed up by this misguided clemency that the peace left the populace of the city and district absolutely convinced of their invincibility. As the eradication of this dangerous delusion was among the primary purposes of the war, so the pandering to the pride of Canton proved, as was inevitable, the malignant root of all subsequent bitterness.

Among the Chinese, placards posted around a city long filled the place of newspapers. This custom holds even to the present day, especially in cities not directly affected by Western influence. The placard given here appeared shortly after the English forces retired from Canton in 1841.

**129. A Cantonese placard on the "retreat" of the English army**

We are the children of the Celestial Empire, and are able to defend our homes. We can exterminate you without the aid of the mandarins, and the measure of your crimes is full. Had we not been hindered in our design by the agreement concluded with the authorities, you should have felt the arm of our citizens. Dare not again to offend us, for we will make an example of you; and, when you see an enemy in every creek and corner, escape will be impossible.

The condition of affairs in Canton after the signing of the Treaty of Nanking is ably described by Governor Davis of Hongkong

**130. Condition of affairs in Canton after the signing of the Treaty of Nanking**

The most untoward circumstance that attended the conclusion of the war was the condition of affairs at Canton. We have seen that, with the exception of that old seat of animosity, the population of the maritime provinces had been either apathetic, or very fairly disposed towards us. But at Canton, the rabble and its leaders had rather added to those stores of hatred, if not contempt, which their rulers had so long inculcated against foreigners; and to make it worse, the prestige by which those rulers formerly kept them within bounds had been destroyed by the event of the war. When the British squadron was withdrawn, in 1841, from the river, and the dilapidated forts restored to the government, the popular leaders transmitted to Peking an account of their boasted services on the heights behind Canton, accompanying the memorial with the head of a soldier whom they had killed. Of their great and marvellous deeds the emperor was more than duly informed, and, as these seemed to pre-

sent a contrast to the conduct of his own troops, he not only bestowed praises and rewards, but encouraged the populace to farther acts against the barbarians. Absurd and bombastic proclamations were issued on the part of the people, intended to be offensive, but which were only ridiculous as long as they did not lead to personal insult and violence, their natural consequences.

The people's militia

From this time the popular force was under organization as far as anything Chinese deserves that name, their leaders having entered into plans for training their followers, and instituted assemblies for the discussion of state matters and measures of defence. Those who entered these associations no longer obeyed the government officers, but their own chiefs, who, in their turn, directed the mass just as it suited their own views. At one time they assisted, and another counteracted, the government, and proved powerful enough to expel Yu, the Prefect of Canton, from his office. The mandarins were therefore reduced to courting their favour, and connived at those acts of violence of which they were frequently guilty.

Such being the state of affairs on the conclusion of the Nanking treaty, the news of that event naturally roused the ire of the Canton demagogues. Placards or (so-called) edicts appeared on the part of the people, denouncing the whole as a treasonable convention. The effervescence thus produced was very great. In the beginning of November, 1842, less than three months after the date of the treaty, a popular notice observed, "We have heard that the English foreigners are thinking of moving into this country to dwell, and that on the outside of the city, along the banks of the river, they have taken plans and sketches, trusting in their power to come and seize on the territory. Now, for the native Chinese and foreigners to mix together will indeed be a vexatious thing, in the highest degree annoying to the feelings. It is a matter which most deeply concerns every one of us, gentry and people, both in our families and in our estates, and can by no means be permitted." This leaven of malice worked so effectually, that on the 7th of December a mob, first attracted by a broil with some Lascar sailors in the streets, proceeded systematically to set fire to the British factories, their especial attention being devoted to the destruction of the flag-staff, which at length fell amidst the shouts of the crowd. The inmates of the factories escaped, but the buildings were effectually destroyed by fire, as well as plundered; though the organized character of the proceeding was clearly marked by some of the ringleaders, or those who appeared to direct the movements of the mass, endeavouring, when satisfied with the burning of the premises, to stop the plunder.

Canton's second escape, December, 1842

The government paid a pecuniary indemnity on account of the losses, but Canton escaped for the second time; and this cowardly rabble remained in the possession of the comfortable opinion, that they had established their superiority over those foreigners whom their rulers had systematically taught them to hate and despise during a restricted intercourse of some two hundred years. The Chinese government could not but disavow these enormities, and probably regretted their excess, as calculated to renew hostilities, of which they must have had enough; but among some in power there was a secret feeling which rather sympathized with, than disapproved of, the temper which actuated the people against foreigners, and the leaders no doubt received some quiet encouragement.

Not a year passed between the close of the First Anglo-Chinese War and the outbreak of the Second which did not witness one, and generally more than one, attack on foreigners. A typical case may be cited: in October, 1846, two British seamen were lured into the back streets of the suburbs of the city and then attacked by a mob. They escaped with difficulty.

Lord Palmerston, in a dispatch to Sir J. F. Davis, dated January 9, 1847, announced the policy of his government in dealing with such cases. He considered this to be a policy which should be followed by all governments having intercourse with China.

131. Palmerston's ideas as to the best policy for all governments dealing with China

We shall lose all the vantage-ground we have gained by our victories in China, if we take a low tone. We must take especial care not to descend from the relative position which we have acquired. If we maintain that position morally, by the tone of our intercourse, we shall not be obliged to recover it by forcible acts; but if we permit the Chinese, either at Canton or elsewhere, to resume, as they will no doubt be always endeavouring to do, their former tone of superiority, we shall very soon be compelled to come to blows with them again.

The necessity for equality

Of course we ought, and by we I mean all the English in China, to abstain from giving the Chinese any ground of complaint, and much more from anything like provocation or affront; but we must stop on the very threshold any attempt on their part to treat us otherwise than as their

equals, and we must make them all clearly understand, though in the civilest terms, that our Treaty rights must be respected. The Chinese must learn and be convinced that if they attack our people and our factories, they will be shot; and that if they ill-treat innocent Englishmen, who are quietly exercising their Treaty right of walking about the streets of Canton, they will be punished. . . . Depend upon it, that the best way of keeping any men quiet is to let them see that you are able and determined to repel force by force; and the Chinese are not in the least different, in this respect, from the rest of mankind.

Peace through preparedness

The receipt of the instructions given above encouraged Sir John Davis to take active measures to enforce English treaty rights. On April 2 and 3, a raid on the fortifications on the Canton River took place. From the military point of view the punitive expedition was a success; from the diplomatic viewpoint this was not the case. The force used was small, comprising only nine hundred soldiers, three steamers and a brig, and no attempt was made to capture the city. The people were angered and not actually punished; the position of Kiying was rendered more difficult; several promises were extracted, notably one that the British should have free entrance to the city "two years from this day's date," that is, in 1849. This promise was not kept.

132. Conditions after the Davis raid on Canton, 1847

. . . The throwing open of the city was by the latter* considered the essential object of the recent expedition, and in their memorial to Lord Palmerston the merchants stated that the Braves having declared their determination to oppose the English at all costs, the withdrawal of our troops *re infectâ* "intoxicated all ranks of the people with an imaginary triumph." Exclusion from the city thus remained as a trophy in the hands of the reactionaries, to become in 1856 the crux of a new dispute and a new war.

It was no imaginary, but a very real, triumph for "the people"; and even looking back on the transaction with the advantage of fifty years' experience, it is difficult to avoid the conclusion that it was an inversion of judgement to have a city entirely at your mercy and then yield to the city instead

*I. e., the British community.

of making the city yield to you. The least that could have been expected was, that while the troops were on the spot they should have vindicated the treaty of Nanking once for all by opening the city gates and thus eliminating the most pregnant source of future strife. . . .

The Canton imbroglio of 1847 threw into strong relief the potency of the Chinese demos and its relation to the Central Government. The pretensions of the populace and the stress of events drove the Imperial Government into a corner and forced it to show its hand, with the result that the occult combinaton which had been the despair of British officials for fourteen years was resolved into its elements, and for a time made amenable to treatment. It was demonstrated by this experiment that though the Imperial Government dared not, except in extremity, oppose any popular movement, yet when necessity required the authorities assumed an easy mastery. Sir John Davis wrote in one of his latest despatches, "Kiying had clearly proved his power over the people when he chooses to exercise it." Coerced themselves, the authorities applied corresponding coercion to the people, even at the behest of foreigners, "truckling" to whom was equally disgraceful to both the Chinese parties. The interaction of the two Powers exemplified in a memorable way the principle of all Chinese intercourse, that boldness begets timidity and gentleness arrogance. When the people asserted themselves the authorities yielded and fell into line with them, and when the authorities asserted themselves the people succumbed. Such were the lessons of the Canton operation of 1847, lessons since forgotten and re learned again and again at ever-increasing cost.

Kiying's position as High Commissioner, and Viceroy of Canton, was difficult in the extreme. A Manchu, representing a dynasty hated as being foreign, ruling over and responsible for the actions of a stubborn and rebellious people, and called upon to deal with a powerful and not wholly sympathetic Western nation jealous of its rights and eager for greater privileges : this describes the man and his position. Many placards, directly or indirectly aimed at Kiying, appeared in Canton, of which the one given here may be taken as typical.

133. Placard of the type aimed at Kiying

Our cannibal mandarins have hitherto been the accomplices of the English robbers in all the acts that the latter

have committed against order and justice. For five years to come our nation will mourn the humiliation it has been forced to undergo.

In the fifth moon of the present year, many Chinese have been slain by foreigners; their bodies have been flung into the river, and buried in the bellies of fishes; but our high authorities have treated these affairs as though they had never heard of them; they have looked upon these foreign devils as though they were gods; they have despised the Chinese as though they had the flesh of dogs; and have not valued the life of men more than the hair which is shorn from the head. They persist in keeping the throne in ignorance of what is passing, and in neglecting to treat this affair with the importance which it deserves. Thousands of people are filled with grief and anger; sorrow has penetrated the marrow of their bones, and their sole consolation is to express their woes in the public assemblies, &c., &c.

The place of placards among the people of China has been mentioned previously. The temper of the people of Canton is clearly shown in the many that appeared on the streets and walls of Canton during the years of conflict with the English. The accompanying placards were posted in February and March, 1849, and were printed by the editor of the *Chinese Repository* in that year.

**134. Typical anti-foreign placards posted in Canton in 1849**

An independent scholar of the province of Kwangtung, being desirous of giving vent to the indignation of his country, respectfully communicates his opinions to his fellow-countrymen, in order that they may with one heart and united strength assist one another; and show thereby their gratitude for Imperial favors. The flesh-eating officers have hitherto connived at the disorderly conduct of the English banditti; and for five hundred years hence our people will, in consequence, continue to deplore it extremely. We now hear, that our high authorities have given them permission to enter into the city of Canton, which will affect very much the respectability of our country, and will still more disgrace the Chinese people. Hence, I now call upon the inhabitants and shopkeepers of the city of Canton to have prepared large quantities of boiling water and hot congee on the tops of their houses, so that, after the barbarians have entered the city, and their road back, together with that of their guides and the military, have been closed, they can, at the first beat of the gong, pour down the boiling water and hot congee

**The patriotic ideas of an "independent scholar"**

on them. The military who take the barbarians into the city, are traitors to their country, and ought by all means to be entirely exterminated. The splendid Celestial Empire will thus preserve its respectability, and our deeds will descend with honor to our country's history, for the next thousand years; and thus it will be known that our country possessed men. Addressed to the eminent scholars of the Halls of Assembly. (Posted on the 11th February, 1849, at the public places in the neighbourhood of the Foreign Factories.)—*China Mail.*

In times of change, if men be of one heart and unite their strength, they shall escape calamity. Yet must their preparations, their levying of troops, and storing of provision be conducted on proper principles. Now therefore we set forth our regulations against the barbarians and against thieves. 1. Every shop will contribute a month's rent beforehand to meet expenses. 2. The large shops shall provide three stout fellows, the second class two, and the smaller shops one. 3. On the occurrence of danger, the gong shall be sounded. The soldiers shall come forth at the sound, and the gates in front and in rear be shut. 4. Those who are wounded in fight shall have for doctor's expenses $50. Those who fall shall be well buried, and their families shall have $150, while they will be sacrificed to in the temple of "the Righteous and Brave."

Insurance for patriots

The gentry and elders of San-yuen-li, Nan-ngan, and other villages ninety-two in number, assembled at the shing-ping shie-hioh, hereby declare the impossibility of living under the same heavens with the English rebels, and swear to destroy them.

The gentry of ninety-two villages review the actions of their enemies

Whereas the English barbarians have rebelled, and several times attacked the Celestial Dynasty:—In the 20th* year of Tau-kwang these rebels, on some pretext, attacked the Shakok and Taikok forts, killing the officers and soldiers; after which they seized Chusan, and then went to Tien-tsin, where our Emperor, whose benevolence is vast as the heavens, whose mode of thinking and acting is enlarged and liberal, unable to endure the idea of precipitately putting them to the sword, manifested towards them an extraordinary degree of cherishing tenderness. But these rebels being dead to all feelings of gratitude for the favor shown them, again harbored still more evil intentions, and suddenly entered an important place. We lost the Bogue, and at Wuchang our troops died fighting in the ranks. The rebels becoming still more insatiable, then secretly crossed the river at Naishing; they burnt

*1840 [Ed. note].

the southern suburb; bombarded the head-quarters at the Examination hall, and seized the Square fort. They were utterly regardless of the law, and attained the highest degree of wanton wickedness. At that time, the imperial Commissioner, compassionately considering that the city and suburbs were suffering grievous injuries, agreed to a peace and stopped hostilities, which proceeded from his anxious compassion for the people; he not losing sight of the injury done to his own country in attacking the invaders. The rebels ought in reason to have humbly realized the imperial love of the living, and the compassion of the high authorities for the people, and have sworn forever to attend quietly to their own occupation of trade, and enjoy with us pleasure and profit. Contrary, however, to expectation, the rebels, being encouraged to greater encroachments by the advance already made, gave loose to their rapacity, cruelty, and wild natures, and sent their soldiers at will to molest the villages; they seized our working cattle, injured our crops, dug out and destroyed the graves of our forefathers, and violated our women. This, truly, was enough to rouse the common anger of the departed shades and of the gods, and was to be endured neither by heaven nor earth! At that time the patriotic people of our villages, regardless in their zeal of their own lives, surrounded Elliot at the North gate, and killed Po-mih, (Bremer?) at Nan-ngan. Consider, we would ask, whether the English rebels would have been able to preserve even a few remaining lives, and escape to their ships, if our prefect Yu-kung had not faithfully maintained the amicable agreement made, and engaged the forces by which they were surrounded to withdraw?

"To our surprise, the rebels, finding they could not gain their utmost wishes in Kwangtung, molested Amoy in Fuhkien, Ningpo in Chehkiang, and seized an opportunity to attack Nanking; they coerced the authorities in a number of ways, and extorted from them upwards of twenty million taels of silver as a fund to soothe and relieve the wants of the common body of the rebels. The high authorities, at their entreaty, did them the honor of memorializing the emperor on the subject, praying that a rescript might be issued to the ministers commanding them to take it into consideration; and our emperor, by an especial act of his abundant grace, permitted the sum to be bestowed on them. Seven years have passed since, during which the rebels have carried on trade and sought gain, having obtained, by the great kindness of the Celestial Dynasty, permission to carry on open commerce. The profits gained by them are immense; and if there was any difference between them and the birds and beasts, they would have a grateful sense of the imperial

benevolence, and have manifested reverence and obedience with their whole hearts. But in the end they have proved stupidly obstinate and incorrigible; their natures have become thoroughly disobedient and rebellious. After having obtained the five ports at which to reside, they next begged that they might roam about for pleasure among the villages; and now again, they urgently pray the Imperial Commissioner to allow them to enter the city.

The possessions of the Celestial Dynasty

Our Celestial Dynasty is rich in the possession of the whole world, all, even the smallest of insects, are suffered to receive life and attain full growth under the canopy of heaven; why then should the uncivilized of human beings be excluded, and not even a small portion of the earth spared to them! These rebels, however, regard China with contempt, they have been false and wanton in every respect, the wickedness of their crimes has risen up to the heavens, and it is utterly impossible to permit their rapacity and cruelty, and their molestations and injuries to China. In our villages, the patriotic braves came forward at an early period, and their fame has been spread to a distance; we of this hall take therefore the lead in patriotism, and now communicate our ideas to all our class. Having made a beginning, we must be able to finish; we must together swear patriotic indignation, and endeavor with all our strength at once to wash away the shame of several years, so that we may for ever enjoy boundless happiness.

Plans for overcoming the enemy

It appears on calculation that the organized patriotic braves of the villages number not less than one hundred thousand; the patriotic gentry, filled with virtue, take delight in giving assistance with military supplies; the countrymen who wield the spade make all strong soldiers; the able-bodied men are always prepared for the fight; and there is therefore, no need to fear the vacillation of the rebellious barbarians. Prepared both on land and water, why should we be anxious about any devilish injuries attempted? Although these rebels depend on the strength of their ships and the power of their guns, they will hardly be able to resist our common will, which has become strong as a walled city. And if all the nations should join them as confederates and follow their example, we shall have no resource but to leave our subsistence unattended to until we have exterminated them; we must not leave one of this class of dogs and sheep able to eat (*i. e.* alive); we must entirely destroy the spiteful and selfish vagabonds, so that not one of the sails of their ships may return.

A few days ago our gentry and elders respectfully laid before the high authorities for their consideration a statement of the measures taken and preparations made, and their reply

has been received, giving their sanction. Dispatches have also been sent by them to the authorities on the coasts of the neighboring provinces, calling on them to take measures in the same way for keeping up a strict guard, so as to prevent the rebels from penetrating the country and causing calamities.

Henceforth people must think of opposing the objects of imperial indignation with earnest will and common hatred, that we may soon perceive the most profound tranquillity reigning, and our country safely secured! We hope that the gentry, literati, and patriotic people will act in a common spirit, and with joint strength, at once perfecting the work on starting it. Thus will a hundred generations congratulate themselves on a state of complete peace: and the record of our services will be handed down for ten thousand years in the national history! Such opportunity occurs once in a thousand years, and all should carefully attend to it!

A public declaration of the gentry and elders of the Shing-ping hall.

It is possible that when Kiying agreed that the English should be permitted to enter Canton in April, 1849, he realized that he would not have to settle the question at that time. In any case he was called to Peking in 1848 and made president of the Board of War, and Hsü Kwang-tsin was left to pacify the English. In June of 1848 the English brought the matter to the attention of Hsü and suggested that preparations be made for the settlement of the opening of Canton.

Various interviews and communications followed, in all of which the Chinese temporized and procrastinated. Finally on April 1, 1849, Hsü communicated the emperor's decree on the matter. This had been issued during the preceding month. It confessed inability on the part of the central government to enforce its will upon an unwilling people—but it is possible the government did not wish to carry out its agreements.

**135. Imperial rescript confessing inability on the part of the central government to force the Cantonese to act against their will**

Cities are erected to protect the people: it is by protecting the people that the kingdom is preserved. That to which the hearts of the people incline is that on which the decree of Heaven rests. Now the people of Kwangtung are unani-

mous and determined that they will not have foreigners enter the city: how can I post up everywhere my imperial order, and force an opposite course upon the people? The Chinese government cannot go against the people in order to comply with the wishes of men from afar. Foreign governments also ought to examine the feelings of the people, and to allow free course to the energies of the merchants. You must rigorously repress the native banditti, and not allow them to take advantage of the opportunity to create disturbances and trouble my people. The foreign merchants come from afar over the great ocean—all to dwell in peace, and be happy in pursuing their business; you ought also to extend the same protection to them, so shall the blessings of harmony be perpetual and abundant, and all will enjoy a perfect tranquillity. Respect this.

The real attitude of the imperial government was shown by the publication in May of a decree congratulating the officials and the people of the recalcitrant city upon the success of their policy.

136. Imperial rescript rewarding the officials and praising the people of Canton

Since the commencement of the foreign affair about ten years ago, there has been constant trouble along our maritime borders, with diminution of revenue, and annoyance to the troops; and though latterly there has been a little more quiet, the mingling of severity and gentleness in the mode of ruling them has not kept the foreigners contented, and they have every now and then broke forth with their petty discontents. . . . Recently the governor Sü and his colleague have several times memorialized Us relating to the repeated request of the English to enter the city of Canton, and stating that he would manage the matter with a due regard to justice and expediency; now, a flying dispatch has reached Us, stating that the merchants of the place, fully understanding the demands of patriotism, have subscribed funds to protect the city from injury, and that the gentry have lent their best assistance in the emergency, and that the question of entering the city is now laid at rest. The said foreigners now carry on their business as usual, and both natives and foreigners are at peace, without our losing a soldier, or brandishing a spear. . . .

The congratulations and joy of our heart can hardly be expressed, and as is right we confer proportionate rewards to recompense such extraordinary merit. In order to show our great regard, let Sü Kwáng-tsin receive the title of Viscount, transmissible to his heirs, and a two-eyed peacock's

Hsü to be a viscount

Yeh to be a baron

feather be given him; and the reward of the title of Baron be conferred upon Yeh Mingchin, transmissible to his heirs, and the decoration of a peacock's feather. . . . As a special mark of favor, let Hu Siángkwáng be appointed to the first vacancy of intendant that occurs, whether it be one of great responsibility or not. Let Wú Tsungyáu (Howqua) be appointed to the first vacancy of *lâng-chung* or gentleman usher, and let his name be handed in to the Board of Civil Office as a candidate for the first vacant intendancy, to be chosen either in an odd or even month; and let both these persons receive a button and girdle of the third rank. . . .

Honors for Howqua

Praise for the people

As to our people of Canton, whom every one knows to be so brave, and who have lately showed so much intelligence and patriotism, and such courage and knowledge in their precautionary measures, mainly because of the more than martial guidance and influence of their rulers joined to their own heaven-directed spirit; not a fear is felt that, among their myriads, any will be found whom gain can corrupt or power alienate. Can We ever call to mind such meritorious devotion and cooperation without our heart being sensibly pained with the obligation? Let Sü and Yeh proclaim our words till every house and family shall fully know them, and this will still further encourage a spirit of zeal and loyalty for the public weal, and cause all to enjoy the blessings of prosperity and peace. . . .

Let all these things be attended to as here directed by the proper Board (viz. of Civil Office). By his Majesty's command.

The right of the English to enter Canton was for the time laid aside. The acknowledgment on the part of the imperial government of its policy by the rewards bestowed on those who had obstructed the path of the foreigners was the cause of great indignation among the latter. Lord Palmerston wrote on August 18, 1849, to Mr. Samuel George Bonham, then Governor of Hongkong and Plenipotentiary and Chief Superintendent of Trade:

**137. Lord Palmerston's comments on the actions of the central government**

Now they appear to be encouraging and exciting among the people of Canton hostile feelings towards British subjects; but let them not deceive themselves—the forbearance which the British government has hitherto displayed arises, not from a sense of weakness, but from the consciousness of

superior strength. The British government well knows that, if occasion required it, a British military force would be able to destroy the town of Canton, not leaving one single house standing, and could thus inflict the most signal chastisement upon the people of that city.

Lord Palmerston also sent copies of two notes of protest addressed to the commissioner. Two of these copies were sent by the British steamer *Reynard* to the mouth of the Pei-ho. The Chinese refused to receive them. The emperor issued an edict on the attempt of the foreigners to deal direct with the ministers of state.

138. Imperial decree of July 4, 1850

The recent proceedings of foreigners at Tientsin, in impudently forwarding despatches direct to the Ministers of State, can be looked upon only as contumacious and insulting in the extreme. We have, accordingly, given our commands that no reply be handed to them, but that these documents be passed over in perfect silence, as if they were of no consequence whatever. Now, as our code of ceremonies has ordained that the officials of the Empire shall have no intercourse with foreigners, we therefore require that our Chief Ministers of State return no reply to said foreigners, lest by so doing they should give the slightest encouragement to their insolent arrogance. But whereas Hsü Kwang-tsin, our Viceroy at Canton, has hitherto conducted our affairs there in a very trusty manner, and has shown himself to be thoroughly acquainted with the diabolical schemes and manœuvres of foreigners, and seeing, moreover, that Canton is the first province that is reached by foreigners, we appoint that hereafter all such matters be referred to Hsü Kwang-tsin, and entrusted to his management.

Foreigners may have no intercourse with Ministers

A general criticism carrying with it suggestions for the betterment of the British policy in China was given by Consul Alcock in a "Confidential Despatch to Sir George Bonham," dated June 17, 1852. This summarizes the relations of the two governments during the first ten years after the signing of the Nanking treaty.

139. Excerpts from Consul Alcock's "Confidential Despatch to Sir George Bonham" (June 17, 1852)

. . . The magnitude and extreme importance of our interests in the East—in commerce and revenue (for, as I have

shown, the China trade is the connecting-link between Great Britain and India, and necessary to complete the circle of trading operations)—suggest on the one hand the necessity of avoiding all measures that may rashly jeopardise such interests, yet nevertheless make it imperative on the other to adopt firmly and unhesitatingly whatever steps may be necessary to prevent loss or deterioration. How these can best be reconciled is the problem to be solved. As late as the last war, throughout all our previous intercourse the attempt had been made to arrive at the solution by a system of temporizing and concession, even to that which was unjust and injurious, and this steadily carried out, with a few rare and brief exceptions. Our policy since the treaty has manifested a tendency to an opposite course, encouraged no doubt by the result of the first determined stand made. It has, nevertheless, been so hesitatingly developed that we appear to halt between the two. In words we have asserted resistance to insult or wrongful treatment, but in acts we have not seldom temporised and submitted. The fruit of this policy we now are beginning to reap. Principles of action have sometimes been asserted and then abandoned, instead of being persisted in until the end was accomplished. In dealing with the Chinese, however, nothing appears to be so necessary as to keep the ground once assumed. If this be true, there cannot be too much caution used in first asserting or contending for a right; but that step once taken, there is no safe halting-place between it and full success. A course of alternate opposition and submission cannot do otherwise than end in defeat; and defeat in this country is never limited to its immediate consequences. It has appeared, on looking back through the ten years which have now elapsed since the termination of the war, that the first half of the period was passed in comparative security under the strong influence its events were calculated to exercise on the Chinese mind; but, true to their invariable policy, they have never ceased to seek by every means in their power to make the British authorities develop under what instructions they were acting and to penetrate into their true spirit, in order to ascertain the limits to which our sufferance would extend and the nature of the powers of resistance or retaliation her Majesty's Government were ready to authorize. I think it cannot be matter of doubt to any one resident in China throughout this period, that during the latter portion the Chinese have felt assured of the essentially pacific determination of our Government and the policy of endurance and sufferance in all cases of minor wrongs. And, assured under such a system (with the known impossibility of any direct action in Peking), they have, during the last two years more

Two kinds of policy

Caution and perseverance needed

The "pressing policy"

especially, felt emboldened, systematically, by a series of apparently small encroachments and aggressions, to undermine our position, and to restore, as nearly as may be, the state of things existing before the war, extending the system to all the ports.

## SUPPLEMENTARY READINGS

**See references to the preceding chapter, and also:** Treaties, Conventions, etc., between China and Foreign States; S. W. WILLIAMS, *The Middle Kingdom* (revised edition, New York, 1914); MICHIE, *The Englishman in China;* DAVIS, *China During the War and Since the Peace;* COOKE, *China and Lower Bengal;* MEADOWS, *Desultory Notes on the Government and People of China* (London, 1847) (a short but valuable study of mid-nineteenth-century China); OLIPHANT, *Narrative of the Earl of Elgin's Mission to China and Japan in the years* 1857–8–9, 2 vols. (London, 1859); *Chinese Repository*, Vol. XVIII; LANE-POOLE, *Sir Harry Parkes in China;* CALLERY and YVAN, *History of the Insurrection in China;* GUTZLAFF, *Sketch of Chinese History, Ancient and Modern*, Chaps. XXI–XXIV; LANNING and COULING, *History of Shanghai;* H. B. MORSE, *International Relations*, Vol. I, Chaps. X–XIII.

# CHAPTER VII

## THE SECOND ANGLO-CHINESE WAR—1856-58

### *Section 28. The Arrow War*

We have seen in the preceding chapter the trouble caused by the Canton City Question. It will not, therefore, be a matter of surprise to learn that this question contributed finally to the outbreak of war. As the years passed after the first war and the English received increasing numbers of proofs that the great principle for which they had fought had not been accepted by the imperial government, the belief gradually became firmly fixed in their minds that another war would have to be fought before the first war could be considered to have been won.

**140. The English readiness for war**

There can be no manner of doubt that in 1856 the English, from Downing Street to Hongkong and Canton, were determined to avail themselves of the first fitting opportunity for pressing the City Question. It was understood that if the Chinese gave us a chance we should close with it. It may properly be asked, Why was not the Treaty right of entrance again formally demanded by Sir John Bowring under direct instructions from Lord Clarendon? That would certainly seem to be the most straightforward English way of doing business. But the answer would probably be that the direct demand had frequently been evaded or refused it had become almost ancient history; and some striking example of the inconvenience and danger of the exclusion from the city was needed to justify in the eyes of the British public its resuscitation and enforcement by more decided action. Canton had been singularly quiet during the past few years and Ministers, living in dread of the many-headed monster of the polling booth, were afraid of being challenged by a pertinent

proverb about sleeping dogs. People would ask, Why insist at the risk of war on a trifling detail, even though a Treaty right, when things were going on as smoothly and peaceably as need be? The public—the constituencies—knew nothing of the constant annoyances and humiliations which the British representative had to endure at a great China port where the authorities deliberately shut their gates in his face. They would have scouted the idea of spending their money in a war for a mere consular inconvenience. It was necessary to wait until the inconvenience developed into danger, and when Ministers could go to the country and say that there would never be peace or quiet, security for trade or safety for life, in China unless Treaty rights were respected down to the dotting of an *i*. There was no hurry, and least of all was there the smallest intention of forcing a quarrel. The act of hostility must come from the Chinese, and it was sure to come before long. Then the opportunity would not be let slip.

A policy of watchful waiting

In the middle of the nineteenth century pirates caused serious disturbances to native and even, at times, foreign commerce along the China coast. To meet this difficulty, a system was developed whereby ships received the protection of a foreign flag upon taking out "sailing letters" or licenses from a consulate. These licenses were valid for a year and then renewable, and gave the protection of the country under whose flag they were registered to the boat.

During the autumn of 1854, the commerce of Hongkong was seriously endangered by the struggles between rebel and imperial forces in the neighboring waters and on the nearby coast of the mainland. Since the British navigation laws had been abolished four years earlier, it was possible for Hongkong as a British colony to pass ordinances sanctioning the registration, with the accompanying privilege of using the British flag, of vessels owned by Chinese residents who were themselves registered as "lessees of Crown lands" in the colony of Hongkong.

The lorcha *Arrow* was a boat owned by a Chinese merchant named Fong Ah-ming, a resident of Hongkong.

The insult, offered in Canton by Commissioner Yeh's followers, to the British flag flying on this Hongkong registered boat was the immediate cause of the breaking out of hostilities. The name *Arrow* War is applied to the first act in the new drama.

*From "A Complete History of the Tsing Dynasty"*

YEH, GOVERNOR-GENERAL OF CANTON

**141 Consul Parkes's letter summarizing the *Arrow* outrage of October 8, 1856**

**Date of letter, November 14, 1856**

The outrage on the *Arrow* lorcha will, I presume, have been reported by the last mail. Lorcha is the name given to a class of vessels of partly English and partly Chinese rig, that is greatly in request in these waters on account of the facility with which these craft are worked by native crews. They, like other vessels, receive colonial registers, and are *bona fide* British vessels as much as the brigs, schooners, steamers, etc. that are built or fit out from Hongkong. The *Arrow* was one of them, and had a regular register which was in my hands at the time that her crew was seized by the Chinese officers. The seizure took place in open day in a

crowded anchorage, and was conducted with unusual display and circumstance. Four mandarins and nearly forty men boarded the lorcha, hauled down her flag, and bound and carried off her crew to a war junk lying close by. The master was away at the moment they boarded in a vessel lying within hail of his own, but seeing what was going on he returned as speedily as possible, and endeavoured to stay the proceedings of the mandarins, but in vain. He then reported the circumstances to me; and I, in the hope of explaining away an offence which I at first imagined must have been committed by the mandarins in ignorance of the Treaty, which required them to make previous reference to me before seizing the men, went to the war junk, pointed out to the mandarins the course they should have pursued, and begged them to remedy the mistake by bringing the men in their own custody to the Consulate, where the case should be investigated and any guilty parties among them be at once given up. They refused to do so, laughed at me and the Treaty, which they said they knew nothing about, and that they had the orders of their superiors and of the Imperial Commissioner for what they had done; and on my telling them that I must claim the men until my jurisdiction over them was acknowledged, they threatened me with violence, and I was actually struck one blow, though to this circumstance I have never made official allusion, as I wished to keep every personal feature out of view, and not to make the case out to be worse than it was.

Attempt at peaceful arrangement

Returning to the Consulate I addressed* the Imperial Commissioner a temperate letter, begging him to restore the men to their vessel in a public manner, when I should at once be prepared to investigate, in conjunction with suitable Chinese officers, whom I requested him to depute for the purpose, any charge he might have to prefer against them. Instead of doing so he examined the men himself, decided that three were guilty and offered to return nine, whom I declined† to receive, and was then directed‡ by Sir John Bowring to require, in addition to my first demand that they should be publicly restored to their vessel, an apology for what had taken place, and an assurance that it should not occur again. The Commissioner, however, with the ninth article of the Supplementary Treaty before him, refused§ all satisfaction, on the ground, as he alleged, that the lorcha was not an Eng-

Commissioner Yeh's action

* [On October 8.]

† [October 10.]

‡ [October 12.]

§ [October 14.]

lish vessel, and that her crew, being Chinese, were amenable only to his jurisdiction; and having once made this statement he ceased to take any notice of the applications addressed him by Sir John Bowring and myself, and would depute no officer to discuss the matter with me. Sir John Bowring then authorized the seizure of a war junk by way of reprisal. This order was carried out; but produced only a bad effect, for the Commissioner would not admit the public character of the junk seized, and in common with all the Chinese who had knowledge of the affair ridiculed the idea of coercion on so trifling a scale.

The instructions I received from Sir John being ambiguous, I went* to Hongkong, and advocated more active measures, for it appeared to me that a very important principle was involved, and that the insolence of the Commissioner had been carried too far. The Admiral and Sir John decided that reparation should be forcibly exacted, and there appeared no means of doing it except by attacking some of the river forts. An ultimatum was sent in† to the Commissioner and twenty-four hours given him to make the apology and return the men, etc., failing which he was told that force would be resorted to. He then offered to return me ten men; them I refused; he then sent all the twelve, but not to their vessel in the way that had been required, by the officers who seized them, but in an underhand manner to the Consulate, demanding at the same time that two should be returned at once, and without deputing any officer to conduct with me their examination, and without offering a word of apology or disapproval of what had occurred. I replied‡ that my orders being to require certain satisfaction, which had been clearly stated, it was not competent for me to receive a small portion of it only, and I again declined to receive the men without an apology. That never came, and the matter then passed into the hands of the Admiral.

Beginning of the Arrow War

The operations now commenced which have lasted with various intermissions for three weeks—from the 23rd ultimo up to yesterday.§ To be brief, on the 23rd and 24th the Admiral entered and dismantled various forts in the vicinity of Canton almost without resistance. On the 27th and 28th he fired slowly on the residence of the Commissioner, and on the 29th breached the city wall. On the 3rd, 4th, and 5th November he fired on another official residence of the

*[October 20.]
†[October 21.]
‡[October 22.]
§ I. e., Nov. 13 [Ed. note].

Governor and that of the Tartar General, and on the 6th another fort was taken and some war junks burnt. On the 12th and 13th the Bogue forts were taken and will be dismantled. After each operation communication was opened with the Commissioner, and every effort made to prevail on him to afford satisfaction, but he always refused to entertain the demands of the Admiral, which, though of the most simple nature at first, were increased by H. E. requiring, as the only safe guarantee for the non-recurrence of such misunderstanding in future, that foreign *officials* should in future have free access to the Chinese authorities, which of course involved their passage into the city, where all the latter reside.

The Commissioner immediately merged this in the old City Question, declared himself at war with us, stopped trade, and set a price on our heads. He did all in his power to excite the people by incendiary proclamations, giving out that we were leagued with the rebels and meditated, in order to further their ends, an attack on the city, and, as of old, he called on his braves to attack and exterminate us; but his call to them has met with a very feeble response, for we have been as active as we could in representing to the people a true statement of the origin of quarrel, and I think they have now a just idea of the misrepresentations of the Commissioner. He, however, has preserved an indomitable obstinacy throughout, which, while it surprised us all, left the Admiral no alternative but to pursue the course he had commenced. I am glad, however, to say that the gentry are now moving a little in our favour, and in conversation at least, do not hesitate to disapprove Yeh's proceedings. Whether, however, they can prevail on him to concede our demands, which, I trust, the correspondence will prove to you are most simple and just, remains to be seen.

Our position is certainly an embarrassing one, but it is one from which we cannot recede, and it is only by maintaining it and working on the fears of the people that we can be successful or escape defeat which would be most injurious to our interests. We ask only for free intercourse with the authorities, and Yeh could grant this if he wished; but he is too proud to yield—though he might do so either if so advised by the gentry or if so instructed by the Cabinet at Peking, who, it may be inferred, would not wish to push the quarrel further. Lest, therefore, on hearing *his* statement of facts only, the Emperor should approve of Yeh's proceedings, I strongly advocate the despatch of a steamer to the Peiho, not to make a *reference* of the question to the Court, but to convey *our* account of causes and occurrences, to let them know that we already hold 'material guarantees,' in the shape

Parkes's suggestion for settling the dispute

of the several forts we are occupying, for what we demand, and to let them see the danger of not putting an immediate stop to this state of things. . . .

There are points for sincere congratulation in these our troubles—first, that our loss should have been trifling; second, that in point of life the same may be said of the Chinese, for in firing shells into the city these have been thrown only into the large residences of the mandarins, surrounded by courtyards and plantations; and, third, that the most perfect unanimity of opinion as to the justice and to the eventual benefit to be derived from our proceedings reigns among the whole community, both English and foreign. . . . The exercise of patience and perseverance in dealing with the most patient people on earth is eminently necessary on our part, and will, I doubt not, carry us through. If we succeed, and succeed we must, we shall then be in a far better position than we have ever yet occupied in China.

The right of the colony of Hongkong to pass ordinances for registration of boats has been referred to.

Ordinance No. 4 was passed in the year 1855; upon Articles VI and X of this ordinance the case of the lorcha *Arrow* rested, for on these articles the *Arrow* based her claim as a British ship entitled to the protection of the British government. Although the *Arrow's* license had expired, it was covered by the proviso at the end of the section of Article X given here.

142. Parts of Hongkong Ordinance No. 4

Article VI

"And be it further enacted and ordained, that it shall be lawful for Chinese residents within this Colony to apply for and obtain Colonial Registers, provided the person or persons applying as owners be registered lessees of Crown lands within this Colony, and that such owner or owners tender as securities for the due performance by them of all the requirements of this Ordinance two other Crown lessees, and that such owners and such lessees be severally reported by the Registrar-General to the satisfaction of the Colonial Secretary to be each worth two thousand dollars in this Colony, and should such owner or owners be member or members of any shop or partnership that the seal of such shop or partnership be also affixed to the security to be given by such owner."

Article X

"And be it further enacted and ordained, that any Colonial register granted under this Ordinance shall be in force

and effect for one year from the date of such register and no longer, and that such register be renewable by endorsement on the same, under the hand of the Governor, Lieutenant-Governor, or officer administering the Government, on the payment of a fee of ten dollars : Provided always, that such register be deposited in the office of the Colonial Secretary one week before the expiration of the year for which the register has been granted, or if the registered ship or vessel be at sea. then on her return to the waters of the Colony."

In his complaint to Commissioner Yeh the British consul, Mr. Harry Parkes, demanded that the men taken from the lorcha be immediately returned to him for examination; if after such examination they had been found guilty of crime they would have been handed to the proper Chinese authorities for punishment. Mr. Parkes's claims were based on Article IX of the Treaty of the Bogue, signed on October 8, 1843. Commissioner Yeh's action was contrary to this treaty.

143. Article IX : Treaty of the Bogue

"If lawless Natives of China, having committed crimes or Offences, against their own government, shall flee to Hong Kong or to the English Ships of War, or English Merchant Ships, for refuge; they shall, if discovered by the English Officers, be handed over at once to the Chinese Officers for trial and punishment; or if, before such discovery be made by the English Officers, it should be ascertained, or suspected by the officers of the Government of China, whither such criminals and Offenders have fled, a communication shall be made to the proper English Officer, in order that the said criminals and Offenders may be rigidly searched for, seized, and on proof or admission of their guilt, delivered up. In like manner, if any Soldier or Sailor or any other person,—whatever his Caste or Country,—who is a Subject of the Crown of England, shall from any cause, or any pretence, desert, fly, or escape into the Chinese Territory, such Soldier, or Sailor, or other person, shall be apprehended and confined by the Chinese Authorities, and sent to the nearest British Consular or other Government Officer. In neither case shall concealment or refuge be afforded."

It was the custom for the foreign-registered boats to sail under a foreign master or captain with a native

crew. The master of the lorcha was a young Irishman whose testimony forms interesting reading.

144. Testimony of the master of the lorcha

Thomas Kennedy, aged 21 years a native of Belfast, duly sworn, states:

Between 8 A. M. and 8½ A. M. yesterday morning, 8th October, I was on board the lorcha "Dart," which was at anchor about 150 yards below the Dutch Folly, my own vessel, the "Arrow," was lying about 50 yards ahead of the "Dart" nearer the Dutch Folly within easy hailing distance, also at anchor. I was sitting on the deck of the "Dart," when I saw two Chinese boats, each having Mandarins on board in uniform, and about twenty seamen besides the officers; in all, there might be about sixty men. Some of the officers had official caps, with feather tails to their caps; I did not take any notice at the moment whether they were armed. A little after I saw the boats pass, the Captain of the "Chusan" lorcha, who was also on board the "Dart," remarked to me that these Mandarin boats were lying alongside my lorcha. I answered they are probably sending some passengers to Hong Kong. As we were looking on, I saw one of the Mandarin seamen, who had a badge on his breast and another on his back, and a uniform cap on his head, haul down the English ensign from the mizen gaff. I immediately afterwards saw the Blue Peter, which was flying at the foremast head, hauled down, but could not see the man that did so, because the view was interrupted at the moment. I then got on board a sampan with the Captains of the "Dart" and "Chusan," and pulled alongside the "Arrow"; it was about slack water. By the time I reached the "Arrow," I found that all my crew had been taken out, and were in the Mandarin boats alongside, bound by their elbows being tied behind their backs. I noticed that the old man who acted as a sort of priest on board was bound with a thicker rope and more completely secured; he was also separated entirely from the others. I asked my boy when I went on board, who hauled the ensign down; he said it was one of the Mandarin Chinamen. I asked particularly if it was one of my men, and he said again it was the Mandarin's people. Immediately after I came on board they shoved off. I tried to ask what was the occasion of this conduct, but was unable to understand the reply; I asked why the flag was hauled down, and could get no satisfactory answer. I hoisted the flag again. Nothing was taken from the ship; but as I passed aft to hoist the flag, they called out to me "yu na ma" and "vrae tae." I turned round and asked why they made use of such language, and the officers shook their hands at the

"Who hauled the ensign down?"

seamen and made them keep quiet. They wished to take all the men away, but I asked them to leave two men to take charge of the vessel, and they did so. I understand a little Chinese, and asked them myself to leave two men ; they then went away.

(*Signed*) THOMAS KENNEDY.

Sworn before me, at the British Consulate, Canton, this 9th day of October, 1856.

(*Signed*) CHARLES A. WINCHESTER,
*Vice-Consul.*

In writing the life of Sir Harry Parkes many years later (1894), Mr. Stanley Lane-Poole, after studying the documents of the period in the light of later events, analyzed the principles involved in the *Arrow* affair.

145. The principles involved

. . . The Consul claimed that the lorcha was a British vessel, whilst Yeh contended that she was Chinese; and of course the whole rights of the question turned upon this. There is not a shadow of doubt that she was, and that the Chinese knew she was, a British vessel, in the sense that hundreds of similar craft were British: namely that she belonged to owners living in the British colony of Hongkong, and that she was registered in that port. Whether her owner were a Chinaman or an Englishman had nothing to do with her nationality: she had been granted a British register, carried a British master, and was entitled to fly the British flag. It was discovered after the seizure that her register, which had to be annually renewed, had expired a few days before: but that again was beside the question. For, first, she was on the point of returning to Hongkong to renew it; and if a vessel happen to be at sea or in some other port at the moment that her annual register expires, it would surely be monstrous to deprive her of the protection of her flag, say, in mid-ocean, on a mere quibble of dates. Secondly, any irregularity of the sort was a question for the authorities of the nation under whose flag she was sailing ; it was their business to look into her right to carry it, and no other nation in the world was entitled to do more than bring the matter to the notice of the Consul of that flag. And thirdly, when the Chinese seized her crew for pirates, they were not aware of the ir regularity of her register. This last fact was mentioned by Sir John Bowring in his despatch, and his use of the argument was afterwards treated by some speakers in the House of

Commons as a mean and miserable subterfuge. Nevertheless it was at the root of the whole question. The gravamen of an insult lies in the intention. The Chinese did not know that the register had expired ; they believed they were hauling down the flag and seizing the crew of a vessel entitled to British protection ; and this constituted the insult. If a man deliberately sets about stealing another man's watch, and after stealing it discovers that it did not lawfully belong to the other man, he is not the less a thief. The law was clear enough, and when Lord Clarendon laid the case before the law officers of the Crown he found Sir John Bowring's view of the case confirmed in every detail.

The Minister of Foreign Affairs in England at the time of the *Arrow* trouble was Lord Clarendon. His pronouncement on the matter was made in a paper written on December 10, and addressed to Sir John Bowring, then governor of Hongkong.

146. The Earl of Clarendon to Sir John Bowring, December 10, 1856

This act of the Chinese authorities constitutes an infraction of Article IX of the Supplementary Treaty. The only possible defence open to them appears to be, that the *Arrow* was not 'an English merchant ship' within the true intent and meaning of the Treaty ; but Article XVII, Rule I, in Supplementary Treaty, recognises and includes this particular class of vessel; she had a British master, British colours and papers, and even if her licence had been improperly granted in August 1854, this was a matter of British internal regulation, and to be dealt with by the British authorities. This point is evidently an after-thought on the part of the Chinese, and the only evidence of it is the uncorroborated assertion of one of the crew whilst in custody. No British lorcha would be safe if her crew were liable to seizure on such grounds. . . .

The principle involved in this case is most important, and the demands made by Mr. Consul Parkes appear to me to be very moderate under the circumstances. I consider that the redelivery of the three men still detained, and a subsequent formal demand for their extradition before they are given up again, should be insisted on as a *sine qua non*. They must be considered as having been forcibly taken in breach of Treaty, and without any justification or excuse, from on board a British vessel, and illegally detained in custody by the order of the Imperial Commissioner, with full knowledge of all the circumstances and in defiance of a formal demand by the British Consul.

The insult to the British flag occurred early on the morning of October 8. Mr. Consul Parkes lost no time in reporting to Commissioner Yeh the condition of affairs and the danger that threatened.

Canton, *October* 8, 1856.

147. Parkes's letter to Commissioner Yeh reporting the *Arrow* outrage

Sir,

I hasten to bring to your Excellency's notice an insult of a very grave character, which calls for immediate reparation.

This morning, shortly after 8 o'clock, a Chinese war-boat boarded an English lorcha, the "Arrow," lying at anchor in the river near the Dutch Folly, and regardless of the remonstrances of her master, an Englishman, seized, bound, and carried off, twelve of her Chinese crew, and hauled down the English colours which were then flying. Hesitating to rely solely on the master's account of so gross an outrage, I at once dispatched people to make inquiries, and found that the facts were as he stated, and that the war-boat, said to be under the command of Leang-kwo-ting, a Captain (Showpe) in the Imperial service, after leaving the lorcha, had dropped down the river, and was lying off the Yung-tsing Gate, with the crew of the lorcha still on board as prisoners.

On receiving this intelligence, I proceeded in person to the war-boat, accompanied by her Majesty's Vice-Consul, and explained to the officer whom I found in charge, named Le-yung-shing, the gravity of the error committed by the said war-boat in boarding and carrying off, by force of arms, the crew of an English vessel, and the gross indignity offered to the national flag by hauling down the lorcha's ensign. I also required him to bring his prisoners to the British Consulate, there to await examination ; but this he refused to do, and upon my claiming them, and insisting upon their being delivered to me, he made a display of force, and threatened me with violence if I attempted to take them with me.

The gravity of the affair

I have, therefore, to lay the case before your Excellency, confident that your superior judgment will lead you at once to admit that an insult so publicly committed must be equally publicly atoned. I therefore request your Excellency to direct that the men, who have been carried away from the "Arrow" be returned by the Captain, Leang-kwo-ting, to that vessel in my presence ; and if accused of any crime, they may be then conveyed to the British Consulate, where, in conjunction with proper officers deputed by your Excellency for the purpose, I shall be prepared to investigate the case.

Parkes's demands

At the same time that I address your Excellency on this subject, I am submitting, both to Her Majesty's Plenipotentiary and the Commodore in command of Her Majesty's naval force in this river, a report of what has occurred, and I should add, that the said lorcha being at present detained here in consequence of the seizure of her crew, has a claim upon your Excellency's Government for the expenses which this delay occasions her.

I have, &c.

(*Signed*) HARRY S. PARKES.

The correspondence between the British consul at Canton and the imperial Chinese commissioner was long and heated. The latter maintained that the British flag was not flying at the time his men boarded the lorcha, and that the lorcha was a Chinese and not a foreign boat, and that the boat had no right to be registered by the British authorities. The letter cited here gives several of his arguments clearly.

148. Commissioner Yeh's defense of his action

*October* 14, 1856.

YEH, Imperial High Commissioner, Governor-General, &c., addresses this declaration to Mr. Parkes, the British Consul at Canton.

At the hour of Wei (from 1 to 3, P. M.) on the 14th day of the 9th month (12th October) I received the statement addressed me by the Consul, which I have well considered.

I find in reference to the twelve men, Le-ming-tae and others, who were seized on board the lorcha, that by my direction the Prefect of Canton examined them clearly and thoroughly, and duly submitted to me in his report copies of the truthful depositions he had taken; whereupon the three men, Woo-a-jen, Le-ming-tae, and Leang-keen-foo, were reserved for further and more strict examination, and the Assistant Magistrate Hew was directed to take the remaining nine, Leang-a-paon and others, and return them to their own vessel. These particulars were also distinctly communicated to the Consul in the declaration which, as the records show, I then addressed him.

But he has forwarded to me another "statement" on this subject, on which I have to remark that it is stated in the deposition of Woo-a-jen that "this lorcha belongs to Soo a-ching, who began to build her on the 14th day of the 7th

month of the 4th year of Heen-fung (7th August, 1854), and on the day on which she was completed he bought for her from the foreign firm of Polo (Block), a register, for which he paid 1000 dollars, and he also engaged the foreigner Aloo (Arrow ?) to take care of the vessel, paying him 30 dollars a month as wages."

Thus it had been ascertained by the previous examination, that this lorcha is not the property of a foreigner; and at the time when the naval officers seized the twelve men, and brought them to my ya-mun, I directed that they also should be examined as to the matter; and they stated that when they went to the lorcha to seize the men, they saw no foreigner on board, that at that time no flag had yet been hoisted on board the lorcha, that they heard that the flag was stowed away below, but they themselves saw nothing of it; therefore they seized the men and brought them away.

Hereafter, Chinese officers will on no account without reason seize and take into custody the people belonging to foreign lorchas; but when Chinese subjects build for themselves vessels, foreigners should not sell registers to them, for if this be done, it will occasion confusion between native and foreign ships, and render it difficult to distinguish them. Thus may all parties conform their proceeding to the conclusion of the 9th Article of the Treaty.

*Heen-fung, 6th year, 9th month, 16th day.*

The reference in an earlier selection to the fear in which the British cabinet stood of Parliamentary questioning and debate is shown in the Earl of Derby's speech not to be without foundation. It is always possible for Parliament to tie the hands of a minister at a time when it is important that he should act.

On Feb. 24, 1857, the Earl of Derby in a speech in the House of Lords spoke of himself as an "advocate for weakness against power, for perplexed and bewildered barbarism against the arrogant demands of overweening, self-styled civilization." At the close of his speech he said,

149. Excerpt from the Earl of Derby's speech on the *Arrow* affair in the House of Lords

"I appeal to you by your vote this night to declare that you will not sanction the usurpation by inferior authorities of that most awful prerogative of the Crown, the declaring of war; that you will not tolerate, nor by your silence appear to approve, light and trivial grounds of quarrel and upon cases of doubtful justice as far as regards the merits of our first demands, the capture of commercial vessels; that you

will not tolerate the destruction of the forts of a friendly nation; that you will not tolerate the bombardment and the shelling of an undefended and commercial city; and that you will not on any consideration give the sanction of your voice to the shedding of the blood of unwarlike and innocent people, without warrant of law and without the warrant of moral justification.

The Minister for Foreign Affairs, Lord Clarendon, answered the Earl of Derby's speech, going into detail in defense of the government's policy on the affair at Canton.

**150. Reply of Lord Clarendon to Lord Derby**

"The truth is that when, on the one side, there has been for a long series of years an habitual determination on the part of the Chinese to humiliate us, to restrict us in the exercise of our undoubted rights, to violate our privileges secured by treaty; and when on the other side, as a natural consequence, there has been great annoyance and irritation, although tempered by a moderate and forbearing spirit, I think such relations can hardly be called amicable. So far has this been the case that for many years there has been no resident in China, official or unoffical, no matter to what nation he belonged, who has not felt that the present state of things was unendurable, that it could not last, and that sooner or later a rupture must take place."

"[In the case of the "Arrow", Lord Clarendon informed the House, there was a great principle involved. Those persons who were on the spot in China felt], that, whatever they possess in China, whatever they hope for as regards trade, the safety of their lives and property, the progress of their trade, all depend upon the maintenance of the treaty rights, upon the respect paid to the British flag, and upon the protection which it affords. If those rights can be violated, if that flag can be insulted with impunity, there is an end to all safety for British residents in China; British merchants will henceforth carry on their business, and their interests will depend upon a mere sufferance, which may be withdrawn in a day, and they will be in reality as dependent upon the mercy and forbearance of the Chinese authorities as those persons at present delight to represent the Chinese nation to be."

## *Section 29. The Arrival of Lord Elgin and Baron Gros: the Fall of Canton*

The first warlike act of the English following on the *Arrow* insult was the taking of the Barrier Forts, about

four miles below Canton, on October 23. The flag flying over the American Consulate was lowered on November 16, 1856. As the American Commander Foote was en route to Canton the flag on his boat was fired on from the Barrier Forts on November 15. These forts had in the meantime been re-armed by the Chinese. Commander Foote lost no time in punishing the insult to his country's flag. Between the sixteenth and the twenty-second he captured five forts and dismantled them. Commissioner Yeh, thinking it better not to antagonize the neutrals, apologized on December 5. This closed the incident. The comments on this incident by an English writer are suggestive.

151. A comparison of British and American methods in dealing with China

Having neither armies or fleets to cope with ours, he makes war upon us in a desultory, irregular way, eminently harassing. Our ships in the river narrowly escape destruction from fire-rafts: night-attacks are made upon them; passenger steamers are fired upon, and foreign vessels, indiscriminately. An incidental result is an insult to the American flag, which is fired on from the Barrier Forts, which had been re-armed. As a measure of retaliation, these are taken and destroyed by Commodore Armstrong, of the United States navy. Here the matter ends. Dr. Parker thinks the insult offered to the flag has been sufficiently avenged, and shortly afterwards resumes correspondence with Yeh. The episode is interesting, as furnishing a contrast between our policy and that of the United States, under somewhat similar circumstances.

On January 14, 1857, an attempt was made to poison the foreign population of Hongkong in a wholesale manner. The bread supplied to the residents by a Chinese baker, Ah-lum, was filled with arsenic. Fortunately, this fact was discovered early enough so that no one died, but there were many who suffered. There was evidence to show that the officials had been implicated. Representatives of America, France, and Portugal protested to Commissioner Yeh. The latter replied to Dr. Parker, who was at this time the American commissioner.

**152. Commissioner Yeh on the poisoning in Hongkong**

The Chinese and Americans have usually been on good terms, and the trade between China and other countries has heretofore been conducted amicably; but the English have now, for several months, in a most unprovoked manner, brought their troops and engaged in hostilities, repeatedly setting fire to the shops and dwellings of people, and destroying a very great number of buildings, and have ruined some entire families. Doubtless there are many Chinese whose hatred against the English has been much increased by this; but to poison people in this underhand manner is an act worthy of detestation: still, as it all occurred in Hong Kong, it is impossible for me to examine into all the facts. The act is owing to the unnumbered evils which have been inflicted upon the Chinese by the English; and the natives of the surrounding districts have taken this way of revenging their private wrongs.

The Americans having never injured the Chinese, there is, of course, nothing to mar the good feeling existing between them. Your Excellency might, with propriety, issue admonitory exhortations for the Americans quietly to attend to their own business, and there can be no question but the Chinese will always treat them in a proper manner. What could induce them to think of secretly poisoning them? a point worthy of your consideration.

The *Arrow* incident occurred in October, 1856. In February of the same year, a French Roman Catholic priest, Auguste Chapdelaine, had been arrested, imprisoned, tortured, placed in the criminals' cage, and finally decapitated. After his death his body had been mutilated and given to the dogs. All this took place in the town of Silin in the northwestern part of Kwangsi, and was done at the command of the city magistrate. The French *chargé d'affaires*, M. de Courcy, failed in his attempts to obtain redress from the Chinese authorities. The question was then referred to the home government and the envoy awaited instructions. Before the news of the *Arrow* outrage reached England, arrangements were being made for united action between the two countries. The murder of Pere Chapdelaine, the acts of hostility around Canton, the desire and need for a revision of the treaties,

and finally the *Arrow* affair led to a joint military expedition.

Affairs at Canton were of such a nature that China and England were drifting into war without a formal declaration. It was not until March, 1857, that the Earl of Elgin was appointed to leave for China as High Commissioner and Plenipotentiary. At the same time Baron Gros was appointed "commissaire-extraordinaire et plenipotentiaire" by the government of Napoleon III. The latter arrived at Hongkong on October 16, four and one half months after Lord Elgin's arrival.

For months before the arrival of the plenipotentiaries, an irregular and almost aimless warfare had been kept up

153. Conditions around Canton, February, 1857

The diplomacy remained in abeyance; the war was apparently being kept up upon very much the same principles on which it had been begun. The Chinese continued to kidnap, assassinate, seize steamers, and annoy us in sundry cunningly-devised methods. We continued to hunt them down in creeks, burn villages where outrages had been committed, and otherwise pay them out to the best of our ability—not, it must be confessed, in a manner calculated to increase their terror for our arms, or their respect for our civilisation. With the exception of the affair in the Fatshan Creek, no fighting of any consequence occurred.

It is not difficult to perceive how, under these circumstances, every month that passed by inspired Yeh with fresh confidence in his own resources, and inasmuch as we never made a move in advance, with increased contempt for ours. Never before since the abolition of the old monopoly had Englishmen made so poor a figure in the eyes of the Chinese populace. If one went into a curiosity-shop at Hong-Kong, he was the object of the quiet irony of the sleek vendor of carved ivory behind the counter, who informed him that his choice collection was at Canton, and asked, "Why you no can come my shop Canton? allo same fore tim: my gotchie too muchee olo handser culio that side." The very urchins in the street considered a Briton a fit subject for "chaff," while their respectable parents took a mercenary view of his head. Hong-Kong was neither a safe nor an agreeable abode in those days.

Mr. Parkes discussed in private letters to his friends the real meaning of the hostilities between the English and Chinese governments, and the hopes he had as to the issues to be settled. The fruit of his hopes is to be found in the agreements reached at the end of the war.

**154. Parkes's hopes for a resident Minister in Peking**

I trust that you and I will see great changes in this great Empire before very long. The issue of these troubles ought to be a *resident Minister at Peking and liberty to go through the length and breadth of the land*, and I trust it will be so. . . .

It is the cause of the West against the East, of Paganism against Christendom, and what may we not look to as the result? The opening of China indeed I trust. I confidently hope too that a satisfactory adjustment of all difficulties may be attained with a slight effusion of blood. Canton, it is true, must fall. I see no hope of any arrangement being arrived at without this primary step being effected; but I do trust that with the fall of that city—a punishment upon it long wanted—hostilities may end, and that the Emperor may then consent to receive a representative at Peking.

Lord Elgin reached Hongkong on July 2, 1857. Shortly after his arrival he received an address of welcome from the English merchants, who pointed out to him the difficulties he would encounter in his contact and negotiations with the government and the people.

Under date of July 8 Lord Elgin replied to the merchants. He referred to their advice and to the policy of patience, moderation, and firmness which he hoped to carry out.

**155. Lord Elgin's policy in dealing with China**

. . . I concur with you in the opinion that no settlement of our present difficulties will be satisfactory which shall fail to teach the Cantonese a wholesome respect for the obligations of their own government in its relations with independent powers, and for the laws of hospitality towards strangers who resort to their shores for peaceful purpose of trade.

The powerful fleet already assembled on these coasts which will soon be supported by an adequate military force, is a pledge of her Majesty's determination to afford protection

to her faithful subjects in this quarter, and to maintain the rights to which they are by treaty entitled.

It is essential to the permanence of pacific relations with China, and to the security of trade, that the court of Pekin should be apprised that an arrogant refusal to treat with other powers on the terms prescribed by the comity of nations, or the alleged wilfulness of a provincial authority, will not henceforth be held to release it from the responsibility of faithfully adhering to engagements contracted with independent and sovereign states.

Lord Elgin was delayed in taking action to settle the affairs at Canton by the Indian Mutiny which broke out in the summer of 1857. It was not until December that he communicated with Yeh.

"Hongkong, *December* 12, 1857.

156. The Earl of Elgin to Commissioner Yeh

The undersigned has the honour to apprise the Imperial Commissioner Yeh, &c., that he is the bearer of letters of credence, accrediting him as ambassador extraordinary from her Majesty the Queen of Great Britain to the Emperor of China; and further, that he has been specially appointed and deputed by her Majesty the Queen of Great Britain as her Majesty's High Commissioner and Plenipotentiary in China, with full powers under her Majesty's royal sign manual and the Great Seal of the United Kingdom, to settle the differences which have unfortunately arisen between certain of the authorities and subjects of her Majesty the Queen of Great Britain and certain of the authorities and subjects of his Majesty the Emperor of China, and to negotiate and conclude with the minister or ministers who may be vested with similar powers and authority by his Imperial and Royal Majesty the Emperor of China, such treaties, conventions or agreements, as may obviate future misunderstanings, and tend to develop commercial relations between the two countries.

The government of her Majesty the Queen of Great Britain, in appointing this special mission, is animated by the sincerest feelings of goodwill towards the Chinese people and its government. It has observed with gratification the happy results which have followed on the enlarged facilities for commercial intercourse between Great Britain and China provided under the treaty of 1842. The industrious subjects of his Majesty the Emperor have derived therefrom increased returns for the products of their labour. The duties of customs have supplied timely resources to the imperial treasury. Free intercourse has engendered feelings of mutual esteem between natives and foreigners. In a word, at all

Generally happy results of the treaty of 1842

the ports of China opened to foreign trade, save one, commerce has presented itself with its accustomed attendants, national wealth and international goodwill.

But unhappy results in Kwangtung

To this favourable picture there is unhappily one exception. By repeated insults to foreigners, and by the refusal to carry out faithfully the stipulations of treaties, the authorities of the province of Kwang-tung have frequently, during the period in question, put in jeopardy the peaceful relations of China with the treaty powers. Great Britain, France, and America, have successively been compelled to seek, by menace or by the employment of force, satisfaction for wrongs wantonly inflicted, until finally, an insult to the British flag, followed by the refusal of the Imperial Commissioner to grant adequate reparation, or even to meet in the city the representative of her Britannic Majesty, for the purpose of effecting an amicable settlement, has forced the officers who are charged with the protection of British interests in this quarter to have recourse to measures of coercion against Canton. The contest thus commenced has been carried on by the Chinese authorities in a manner repugnant to humanity and to the rules of warfare recognised by civilized nations. Acts of incendiarism and assassination have been promoted by the offer of rewards. Under the influence of these provocations, innocent families have been plunged into mourning by the kidnapping of private individuals ; and vessels engaged in the peaceful pursuits of commerce have been treacherously seized, and the European crews and passengers barbarously murdered.

The undersigned thinks it right to remind the Imperial Commissioner that the government of her Britannic Majesty, in its endeavours to terminate a state of affairs which has led to these deplorable results, has not confined its efforts to representations addressed to the imperial officers on the spot. In the year 1849 a communication was, by the express command of Viscount Palmerston, her Majesty's Secretary of State for Foreign Affairs, transmitted to the imperial government at Pekin, warning it of the consequences that would ensue from the non-fulfilment of treaty engagements, and terminating in these words: 'Let the Chinese government well consider these things, and whatever may happen in future between the two countries that may be disagreeable to China, let the Chinese government remember that the fault thereof will lie upon them.' And again in the year 1854, Sir John Bowring, her Majesty's Plenipotentiary, urged upon the Imperial Commissioners, who were deputed to confer with him at the mouth of the Peiho, the necessity of granting to British subjects free access to the city of Canton. These representations, however, prompted by a spirit of conciliation and

humanity, have been unheeded, and the result has only served to prove that the forbearance of the British government has been misunderstood by that of China.

England and France are allies

In the conviction that the season for remonstrance is past, Great Britain does not stand alone. The disregard of treaty obligations, and the obstinate refusal to redress grievances which have forced the British authorities to have recourse to arms, have aroused the just indignation of the government of his Imperial Majesty the Emperor of the French. The governments of England and France are united in their determination to seek, by vigorous and decisive action, reparation for past and security against future, wrongs.

Under these circumstances, the undersigned thinks it his duty to state distinctly to the Imperial Commissioner that he cannot assume the responsibility of arresting the progress of hostile operations against Canton, until the following demands of the British government are absolutely and unreservedly conceded: the complete execution at Canton of all treaty engagements, including the free admission of British subjects to the city; compensation to British subjects and persons entitled to British protection for losses incurred in consequence of the late disturbances.

The English demands

If these moderate demands, and those preferred on behalf of the Emperor of the French by his Imperial Majesty's High Commissioner and Plenipotentiary, be frankly accepted by the Imperial Commissioner Yeh within the period of ten days from this date, the blockade of the river will be raised, and commerce will be permitted to resume its course. But the English forces, in conjunction with the forces of the French, will retain the island of Honan and the forts on the river as a material guarantee until the terms of a treaty for regulating these and all other questions pending between the government of Great Britain and that of China shall have been agreed to between the undersigned and a plenipotentiary, of equal rank, appointed by the Emperor of China to negotiate with him, and until the treaty so agreed upon shall have been ratified by their respective sovereigns.

Danger of further war

If, on the contrary, the Imperial Commissioner shall meet these demands by a refusal, by silence, or by evasive or dilatory pleas, the undersigned will deem it to be his painful duty to direct the naval and military commanders to prosecute, with renewed vigour, operations against Canton, reserving to himself the right to make, in that case, on behalf of the British government, such additional demands on the government of China as the altered condition of affairs may seem, in his eyes, to justify.

The undersigned, &c.

(Signed) Elgin and Kincardine.

Commissioner Yeh's reply was written two days later.

157. Commissioner Yeh to the Earl of Elgin, December 14, 1857

Yeh, Imperial Commissioner, Governor-general of the Two Kwang, &c., makes a communication in reply.

"On the 12th instant, I received a letter sent to me the same day, and was highly gratified to learn that your Excellency had been sent with plenipotentiary powers to Canton.

By the commercial relations ensuing on the establishment of the treaty between our two countries, the mercantile communities of both have alike been advantaged. The letter under acknowledgement observes, that 'to the favourable picture presented at the ports of China, there is one exception.' Now, during more than a century that your Excellency's nation traded at Canton, its trade was with Canton alone; no such thing was known as four other ports. They were first opened by the treaties of 1842 and 1844. Canton had, it is true, its own ways of trade long established—so far, indeed, it differed from the other ports; but its commercial intercourse has been throughout conducted on the same principle as theirs; nor has there been, any more (at Canton than elsewhere), any 'insult to foreigners.'

Treaties do not call for entrance into Canton

As to the question of admission into the provincial city of Canton, no article whatever relating to this exists in the treaties of 1842 and 1844. It was in March 1847, that the Plenipotentiary Davis attempted, at a moment's notice, to raise the question. He prescribed a term of two years (within which the right was to be conceded); but before one year had elapsed, the unsatisfactoriness of his conduct in many particulars had been complained of by merchants who returned home for the purpose and he was recalled. He was replaced by the late Plenipotentiary Bonham, subsequently to whose arrival in Kwangtung there passed in 1849, a long correspondence between him and the late Commissioner Seu. Discussion respecting admission into the city was finally dropped, and the Plenipotentiary Bonham issued a notice from the government offices (at Hongkong) to the effect that he, the governor, would not allow foreigners to enter the city. On this, I myself, then governor in concert with Seu, then Commissioner, represented to his late Majesty, canonised as the perfect, in a memorial, that the English had finally dropped the question of admittance into Canton, and we had the honor to receive in reply the following Imperial Decree:—

An imperial decree

'The walling of cities is for the protection of the people, to the end that they may turn their capital to the best account &c. Respect this.'

It is also reported, on the authority of an English newspaper, of 1850, that a royal (lit., national) letter from

the Queen arrived at Hongkong, to the address of the late Plenipotentiary Bonham, to the following effect:—

'We are informed of everything regarding Tien-tsin and the five ports of China as detailed in the representation (of Mr. Bonham). The Governor in question has without doubt, shown great sagacity in the course he has followed. He was aware that Seu, Governor-General of the Two Kwang, was secretly devising measures in which Yeh, Governor of Kwangtung, was also taking part, and that they had together moved the Chinese government to send from Peking a secret expedition of the Solon* vessels of war for the defence of Tien-tsin. But though our vessels of war could have been easily worked (*i. e.*, by pushing and pulling) along the shores (of the Peiho) to fight with these, Bonham, knowing what was becoming his own nation (or Government), and being well acquainted with the usages of China, confined the purpose of his visit to the ports of China, to an observation of the condition of the country, prosperous or otherwise. Were he to have fought, the Chinese would have said that our people were entirely in the wrong. It is hence evident that our Governor Bonham has managed matters very satisfactorily: by no offence against reason or right has he caused us anxiety: he is very much to be loved. Let Bonham be awarded with the title of Wei-li-pa.† The Queen also conferred on him a badge of honour to be borne on his person, very goodly to behold; and the English authorities and merchants at Hongkong went in their dresses of ceremony to offer him their congratulations.'

Thus the merchants of your Excellency's nation (showed that they) thought the Plenipotentiary Bonham right and the Plenipotentiary Davis wrong. It is doubtless the duty of your Excellency, who is come here in obedience to your instructions, to imitate the conduct of the Plenipotentiary Bonham. It is equally imperative that you should decline to imitate the conduct of the Plenipotentiary Davis.

Elgin should follow in Bonham's footsteps and not Sir John Davis's

With respect to that passage in the letter under acknowledgement which says that, 'until the terms of a treaty shall have been agreed to between the undersigned and a plenipotentiary of equal rank appointed by the emperor of China to negotiate with him, &c.,' in 1850, the late Plenipotentiary Bonham went in person to Shanghai, and detached thence

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*A Mongol tribe.

†There is a confusion between Sir G. Bonham's Knighthood of the Bath and his Baronetcy. "Wei-li-pa," a Chinese suggests, stands for "Ba-li-mei," supposed to be Anglo-Chinese for Baronet. It is not a Chinese term.

an officer to Tien-tsin, to request once more admission into the city. In 1854, the Plenipotentiary Bowring went himself to Tien-tsin and entreated with instance to be admitted into the city; also that the treaty should be reconsidered. His Majesty the emperor, holding that whereas the treaties of 1842 and 1844 were ratified by the late emperor, canonised as the perfect, there was not in the agreement so sanctioned by his late Majesty, and which was to last ten thousand years with a view to the preservation of a good understanding for evermore, any place for alterations, and that the order of proceeding that had resulted in those advantages which, from the time the treaties were made, had accrued to Chinese and foreigners alike from commercial intercourse, had been, in no respect other than what was in accordance with the treaties, was satisfied that these were good and sufficient. The cessation of discussions regarding admittance into Canton was for his Majesty a point on which the fiat of his late Majesty had been received; and as the treaty of peace for ten thousand years had been in like manner ratified by his late Majesty, it would have been equally improper to alter this. Hence, although on both occasions, that (officers of) your Excellency's government repaired to Tien-tsin, imperial commissioners were sent to receive them, no proportions respecting fresh regulations (of trade) were allowed to be considered. The officers were desired to return to Canton and conduct business there in obedient conformance to treaty. (And so) now, no officer of China, be his rank what it may, could venture to act otherwise than in accordance with the sacred will (of the emperor).

Again your letter says 'that there must be compensation to British subjects and persons entitled to British protection for losses incurred in consequence of late disturbances.'

Yeh explains the *Arrow* affair

The misunderstanding of last October was caused thus:—The Chinese government having arrested some Chinese criminals, Consul Parkes wrongfully gave heed to the unsupported testimony of the captain of a lorcha, who asserted that the government executive, when they came on board to seize the guilty parties, hauled down the British ensign. He was not aware that no flag was seen flying by the executive when they boarded the vessel: that, as stated by the sailors seized, the flag was at the time down in the hold, and that it was consequently plain beyond a doubt that no flag was flying at all. The lorcha was built by, and in the employ of, Soo-a-ching, for whom her captain obtained a register. The crew were consequently all outlaws of the inner land (*i.e.* offenders against the laws of China). The prisoners, Le-ming-tae and Liang-hien-fu, both pleaded guilty to acts of piracy on the high seas. To this Wu-a-ching bore witness. It was established that the criminals before mentioned were notorious

pirates. On the repeated representation of Consul Parkes (however) I returned the twelve prisoners to him. Feeling and justice were thus alike satisfied; but Consul Parkes, instead of receiving them, suddenly, and without a cause, commenced hostile operations: attacked and destroyed the forts along the different approaches, for several days in succession bombarded the provincial city, and on three occasions sent parties of English troops to fire houses and buildings in different directions. Millions of people were eye witnesses of these things. There is not a native of any foreign state who is not aware of them. At the very commencement every Englishman and every other foreigner, with a sense of justice, did all that in them lay to dissuade Consul Parkes from proceeding, but he would not listen. He declared too, that he would be personally responsible for all the loss they might incur, and in January last he went to Hongkong, and made out an account of their losses with all the merchants who had suffered; which shows that he was taking their compensation on himself. The method of effecting this has long been settled; with it China, has, in fact, no concern. Her merchants, alas! have sustained an amount of injury graver than the losses that have fallen on those of your Excellency's nation. (But) the same rule applies to both. My court is thronged by the gentry and people of the city and suburbs, imploring me to write to your Excellency to inquire into the matter, and dispose of it impartially. I have not made their petition the subject of a despatch; but if you will not believe me, I will inclose copies of them in my next reply, for your Excellency's perusal and guidance. As to Honan,* its gentry and people are fierce and energetic. In April, 1847, when the merchants of your Excellency's nation wanted to lease ground in Honan, the gentry and people presented a petition, generally signed, to the Plenipotentiary Davis, who notified to them, in his reply, that the matter should stand where it was. Your letter talks of a military occupation of Honan and of the forts along the river; but if you could not proceed once before, even with such a measure as the building and leasing of warehouses there, how should it be possible to station troops on Honan? The forts along the river have been built at the expense of the gentry and people, for their protection against piracy. An attempt on the part of the troops of your Excellency's nation to occupy these will, I fear, produce a state of irritation which may grow into a serious misunderstanding. (If it do) let it not be said that I did not speak in time, or that I did not do all that in me lay to provide for your safety.

Yeh blames Consul Parkes

*I. e., Honam, an island opposite to Canton [Ed. note].

Elgin has evil advisers

The propositions brought forward in your letter have been suggested, it appears to me, by some mischievous person at your side; they are not your Excellency's own conception. I have long heard of your Excellency's great experience and discretion; of the universal esteem in which you are held in your own country; the great trust which you have come to Canton to discharge, towards your own government, is naturally the termination of the troubles here existing, not assuredly, the creation of (fresh) troubles. Your Excellency's acts will, I feel sure, anticipate my confidence in your perfect sense of justice and thorough impartiality.

The words 'commerce shall resume its course' in your letter, are additional evidence of your Excellency's sense of justice and practical knowledge. Ever since the treaty was made, in all their commercial dealings with foreigners, the merchants of China have invariably behaved as they ought. It is not from any hinderance interposed by China that no foreign merchant-vessel has been here since last October. By your Excellency's declaration now made, that 'commerce between natives and foreigners shall resume its course' you justify to their complete satisfaction the high estimation in which you are held by all classes of your own countrymen; what is more, you enable yourself to meet the anxious expections of the commercialists of every other country.

To conclude, our two nations have ever considered themselves as on friendly terms with each other, and the continuance of trade between native and foreigner on its accustomed footing can, of course, be satisfactorily arranged in correspondence between you and myself.

I accordingly reply to you, availing myself, &c.

A necessary communication.

Hien-fung, 7th year, 10th moon, 29th day (14th, December, 1857).

On December 24, Lord Elgin addressed a communication to Yeh in which he remarked that he "has failed to discover in this communication [that of Yeh's of December 14], which he has attentively perused, any indication on the part of the Imperial Commissioner of a disposition to accede to the moderate demands which . . . he preferred on behalf of the government of Great Britain." He then announced that he had "called upon the naval and military commanders to prosecute, with renewed vigour, operations against Canton." Commissioner Yeh

answered on Christmas Day, but his reply was considered unsatisfactory, and operations against Canton were carried to completion.

Mr. H. B. Loch's official report to Lord Elgin on the capture of the city follows:

158. Report of Mr. H. B. Loch to Lord Elgin on the capture of Canton, January 5, 1858

At 6 A. M. of the 28th of December, the bombardment opened. In consequence of the low tide the landing did not commence before 7 o'clock; the French Naval Brigade being in ships' boats were enabled to land first, the 59th Regiment and Royal Artillery immediately followed. The French and the 59th were moved up to occupy some heights overlooking Lin Fort and the country to the northward as far as Gough's heights. . . . The ground, where it is not under cultivation, is one large burial place; the graves form excellent rifle-pits. . . . Colonel Lemon's battalion of Marines having landed, were moved up to the right of the 59th Regiment. A large Buddhist temple lay in the valley between the position now occupied and Lin Fort; it was taken possession of by the 59th, which regiment, extending to the right round the south-eastern angle of the wall, were enabled to open a heavy rifle-fire on the fort, which was only able to return a feeble fire from two guns, and a few jingals and matchlocks. The French, observing the Chinese were leaving the fort, rushed forward and took possession. I do not think more than 100 men garrisoned it; there were nine guns, the most of them unserviceable. . . .

As soon as the Chinese saw we were in possession of Lin Fort, they opened fire on us from the walls . . . but . . . most passed over us. A large body of braves advanced . . . with shouts and waving flags. . . . It was very amusing watching how, occasionally, a man with spear and target would walk out in front and brandish his spear, till a shot going near him caused a rapid retreat. . . . The only weapon they seem to have improved on since the last war is their rockets, which take considerable flights and inflict severe wounds.

An hour before daylight of the morning of the 29th the force was under arms. . . . The order for assault was given at half-past 8 o'clock A. M.: some men of the Marines having anticipated it, a great rush took place; but as soon as the first ladders were placed all resistance ceased. The Chinese retreated along the wall towards the north gate; the General with what men he could collect, followed them up; Five-storied Pagoda and Magazine Hill were taken possession of without resistance. Near the North Gate the Chinese rallied, opened a heavy fire, and then charged up to our men: this

was the most courageous effort they made. The North Gate was taken possession of; the occupation of the walls then extended from the gate, to the Southeast Gate, held by the 59th Regiment, and included all the intervening gates on the east side.

During the night no alarm of any kind occurred.

On the morning of the 30th, white flags were hung from those parts of the wall where we had not yet been, and from the roofs of many of the houses. Any attempt at further resistance was evidently abandoned.

At 2 o'clock P. M., a combined force of English and French, with the allied Commanders-in-chief, moved from the North Gate round by the wall towards the west. The guns mounted on it were all turned round and trained to bear on our position at Magazine Hill: as they were all loaded and ready for service, it must have been a sudden determination on the part of the Chinese troops to surrender without offering any further resistance. At the West Gate the rush of people of all classes from the city was immense; the interpreters attempted to reassure them, and partly succeeded.

The Tartar soldiers remained at their posts along the wall; they were unarmed, and moved away as soon as told to do so. Knowing we must have been aware that their Government offered rewards for our heads, the proclamations being on every gateway of the city, they showed a very considerable knowledge and appreciation of our character, by the confidence with which they placed themselves in our power. . . .

I cannot reconcile the instances of gallantry, and, in some instances, of stubborn resistance that the Chinese, on some occasions, exhibited in the last war, with the want of skill, determination, and foresight they have exhibited in the defence of Canton.

The impassivity of the people in the midst of danger and confusion was not the least surprising of the characteristics noted by the Westerners at the time of the taking of the city of Canton.

**159. The impassivity of the Cantonese**

. . . In a room opening upon the river a family were taking their evening meal within two hundred yards of the *Phlegethon*, which was keeping up a constant discharge of shells, all of which passed a few feet over their heads. The light was so strong that the interior of the room was visible in all its details—the inmates were all eating their rice as though nothing particular was happening outside. The firemen

were working their fire-engines within point blank fire of the ships; and directly Yeh left his yamun the populace burst in and gutted it, although at that time the *Cruiser* was making it the target of her fire. I was told, although I did not notice this myself, that the sanpans were all day long proceeding from ship to ship, and selling fruit and vegetables to the sailors who were bombarding their city. Who can pretend to understand such a people as this?

With the impassivity of the people another characteristic noted and commented upon was the way in which many of the natives actually aided the English and French in their attack. The fruit and vegetable sellers approached the foreign ships of war and sold food to their country's enemy. A corps of laborers, organized by Colonel Wetherall and commanded by Captain Temple, did splendid service on the side of the allies.

160. Assistance given by the coolies at the capture of Canton

Oh those patient, lusty, enduring coolies! It was a valuable legacy which Colonel Wetherall left us, that coolie corps. They carried the ammunition, on the day of the assault, close up to the rear of our columns; and when a cannon-shot took off the head of one of them, the others only cried "Ey yaw!" and laughed, and worked away as merrily as ever. Their conduct has throughout been admirable, and Captain Temple, "the king of the coolies," deserves credit for the manner in which he has handled them. Well dressed and well fed, wearing the cotton uniform of a Chinese soldier,—except that the Chinese characters on the jacket of the Imperial "ping" are replaced by an English number, and that the words "Army Train" are written in conspicuous characters round their conical caps,—these stout fellows, with their bamboo poles, are at once the envy and the terror of the Chinese populace.

On December 29, the English and French were the masters of Canton. The English had almost five thousand men and the French nine hundred; of these forces thirteen English and two French were killed and eighty-three English and thirty French wounded. Even after the city was in the hands of the allies Commissioner Yeh preserved a stubborn silence.

**161. The capture of Commissioner Yeh**

New-Year's Day, 1858, was celebrated by a formal procession of the Ambassadors to Magazine Hill, for the purpose of taking possession of the city. . . . On the 5th of January, the seizure of the Imperial Commissioner was determined upon, and at half-past 7 o'clock A. M. the city was entered at different points by three English and one French column: from the plans of the city in our possession, and information already received, the position of the principal yamuns was known. The French, proceeding along the great east and west street, known as the "Avenue of Benevolence and Love," from the westward, reached the large yamun belonging to the Tartar General, in which they captured that high functionary, and were shortly afterwards joined by General Straubenzee; whilst Colonel Walsh's battalion of marines had been to the yamun of the Governor, and made prisoner of Pihkwei, and thither the naval and military authorities proceeded. In the mean time Mr. Parkes had received information that Yeh was in a library not far distant, but on arriving there he found the house empty, with the exception of an old man who was reading in the garden. From this venerable student it was discovered that Yeh had been absent for five days; but the fact was at last extorted from him, that the Imperial Commissioner had sought refuge in the house of the Tartar Lieut.-General. Accompanied by an escort of a hundred blue-jackets under Captain Key, Mr. Parkes at once repaired to this yamun, the doors of which they found closed; upon breaking them open and rushing forward, an old man in a mandarin's coat and cap threw himself before them, stating that he was Yeh. This was the Lieut.-General himself, who was at once thrust aside, as an impostor; and as people were heard escaping through the back entrances, Captain Key hurried in that direction, and observing a stout man in a narrow passage, resembling a portrait he had seen of the Imperial Commissioner, threw his arms round the neck of the fugitive, and proclaimed him his prisoner.

After the imperial commissioner's capture it was decided that he should be deported to Calcutta as a temporary prisoner of state. Calcutta was chosen as a place in which he could be treated with the dignity worthy of his rank. Yeh was degraded by an imperial edict of January 28; as long as he succeeded in holding the foreigners at bay he was supported by the emperor Hienfeng (1851–1861), but his ultimate failure was bound to result in

disgrace. Yeh left China on a British boat in February, 1858. It was after he reached Calcutta that he received the news of his deposition and disgrace. He died in India on April 10, 1859, from which place his body was sent back to Canton. In writing of Yeh's downfall, Mr. G. W. Cooke philosophized on the ex-commissioner as the personification of a principle.

162. A characterization of Commissioner Yeh

It is plain that Yeh is the Eldon of China—Eldon intensified, and omnipresent and omnipotent in Chinese official life. It is "bows and arrows, and the wisdom of our ancestors"—"no barbarians, and the Chinese constitution". It is plain that young China, from Singapore or California, and even middle-aged China, in the person of the Howquas and Minquas, can do nought against this obese old China.

Lord Elgin was well rid of Yeh. He must be the despair of all diplomacy. He is one of those things to which nature has given great inert force, and no other power. He is like a landslip or a fallen avalanche, blocking up a pass. You must tunnel through it, or you must wait till it melts away; push it from your path you cannot. It is his duty and his destiny to lie there, and there he will lie. That "Taoli," of which we read so much, is, among its many meanings, not quite destiny, but it is something very like it. It often approaches to that rooted notion which untutored minds mistake for conscience,—an ill-defined and fanciful rule of right, which they are prepared to enforce by the bloodiest tyranny over the weak, and by passive resistance to the strong.

Colonel Holloway commanded the force that captured the imperial commissioner. He detached Captain Parke to take the treasury. "Turning to the left, and proceeding down the street of Benevolence and Love, they came to the large low building indicated as the treasury. Here also the doors gave way to the first rush. The surprise was complete. The guards were, some sleeping, some cooking, some smoking. The military mandarin in command drew his sword, but was tripped up and secured; a young Tartar shouldered his matchlock and pointed it at the captain, but a bayonet was at his breast

in a moment, and would have been in it had not the captain struck it up. All the others were motionless under the influence of British bayonets brought to the charge within six inches of their bodies." This is the description of the capture given by the *Times* correspondent, Mr. Cooke. He continues:

163. The capture of the treasury of Canton

For six days the western gate had been open, and exit had been denied to neither men, nor goods, nor treasure. Surely there could be nothing left to reward the captors. How can we strain our minds to comprehend the stolid, stupid confidence of these Chinese officials? The treasury was full of silver—as full probably as it ever was. Fifty-two boxes, which a man could not singly lift, were found, and sixty-eight packets of solid ingots. There was also a storehouse of the most costly mandarin fur dresses, lined with sable and rare furs, and there was a room full of copper cash. Now a strange scene occurred. The instructions were to bring away any bullion, but to touch nothing else. These orders were obeyed with a strange and self-denying fidelity. The soldiers and officers in strict discipline turned their longing eyes away from the rich dresses. But how to remove the heavy load of bullion? Crowds had assembled in front, and a happy thought occurred to one of the officers,—"A dollar's worth of cash to every coolie who will help to carry the silver to the English camp." In a moment the crowd dispersed in search of their bamboo poles, and in another moment there were a thousand volunteer Cantonese contending for the privilege of carrying for an enemy their own city's treasure.

With their stipulated strings of cash round their necks, away they trudged with the English soldiers and the sycee silver. Colonel Graham, who had advanced from the south to the same point, came up in time to direct this operation. When the last British soldier left the treasury the mob poured in like a countless pack of famished wolves. The retiring and self-denying English could hear their yells and shouts as they fought over the fur dresses and other stores that had been left untouched.

After the allies had captured the city, there was considerable doubt as to what should next be done. They were unprepared to take over the administration of such a place, especially as they had but three qualified interpreters available. An excerpt from Lord Elgin's

dispatch of January 9, 1858, with the comments of Mr. Oliphant, shows what doubt reigned in the minds of the leaders

164. Dilemma after the taking of the city

"Two plans for surmounting the difficulties of the situation in which we found ourselves, were under the consideration of the Commanders-in-chief, when I reached the Magazine Hill. The one proposed that Pihkwei and the Tartar General should be permitted at once to return to their Yamuns, on condition of their consenting to publish a proclamation, in which the military occupation of the city by the allied forces should be recognised. I thought it my duty to enter my protest against the adoption of an arrangement of this nature. Neither on the side of the Chinese was there, as it appeared to me, sufficient honesty, nor on our own sufficient means of acquiring information, and perhaps, I may add, sufficient forbearance, to afford a reasonable prospect of its working successfully. I felt confident that if Pihkwei returned to his yamun on the terms above mentioned, many days would not elapse before some acts would be committed by him, or some proclamation issued, which would give rise to suspicions on our part; that on such suspicions, appeals to the Commanders-in-chief, urging them to adopt measures of precaution or coercion, of increased stringency, would be grounded; and that in this way the irritation of the soldiery against the Cantonese would be kept up, and all the evils attending the occupation of a city by a hostile army perpetuated. The other plan which had been submitted for the consideration of the Commanders-in-chief, proceeded equally on the assumption that Pihkwei must be retained as Governer of Canton. By way, however, of providing security for his upright behaviour, and for the maintenance of a good understanding between the parties, it suggested that he should be detained as a prisoner of war, if necessary, on board one of her Majesty's ships of war anchored in the river, and that he should exercise f om thence the functions of his office. It is needless that I should here insist on the objections to which this proposition was open."

Pihkwei to be reinstated

The course ultimately adopted was a compromise of these two extremes. It was decided that Pihkwei should be reinstated in his own yamun, in a manner calculated to increase rather than impair the prestige of that authority upon which the tranquillity, and, indeed, the very existence of the city, at that critical moment, depended; but, at the same time, that it should be impressed upon him, that inasmuch as the city remained under martial law, he was only administering its affairs subject to the approval of the General, who

was the supreme authority; that he would be under a constant surveillance; and that most serious consequences would result from any treachery on his part. This proposal was laid before Pihkwei, and after twenty-four hours' deliberation, during which time he remained our prisoner, he accepted the new conditions under which he was to continue the government of Canton. . . . The 9th of January was the day fixed for the installation of Pihkwei; and at two o'clock in the afternoon the two Plenipotentiaries went in procession through the town, followed by a large body of troops, and preceded by military bands. The "Avenue of Benevolence and Love" was crowded with eager faces, gazing at us as we passed with respectful curiosity. The entry into the yamun of the Governor was sufficiently imposing; and as the strains of martial music echoed through the several courts, the population outside can have had little doubt that both their city and its authorities were in our power, and that the latter only ruled by sufferance.

The task of elevating Pihkwei from the position of a prisoner to that of governor of Canton was a somewhat delicate and difficult one. On the one hand it was demanded by the British and French ambassadors that it should be understood by all that Pihkwei ruled only by the permission of the conquerors; on the other he must be installed and treated with such dignity as would show the inhabitants of the city that they were to "tremble and obey."

In the late afternoon of January 9, the new governor was brought from his prison to his yamen. Here, seated below the ambassadors, he listened to Lord Elgin's congratulatory, and explanatory, speech.

**165. Lord Elgin's address to Pihkwei, January 9, 1858**

We are assembled here to welcome your Excellency on your return to your yamun, and on your resumption of the functions of your office, which have been momentarily interrupted. It is proper, however, that I should apprise your Excellency, and through your Excellency the inhabitants of Canton, that the Plenipotentiaries of England and France, and the Commanders-in-chief of the allied forces, are firmly resolved to retain military occupation of the city, until all questions pending between our respective Governments and that of China shall have been finally settled and determined

between us—the High Officers appointed by our governments for this service—and a Plenipotentiary of equal rank and powers, whom his Imperial Majesty the Emperor of China may see fit to appoint to treat with us. Any attempt, therefore, whether by force or fraud, whether by treachery or violence, to disturb us in our possession of the city, will not fail to bring down on its authors and abettors the most severe and signal punishment. I am, however, no less prepared to apprise your Excellency that it is equally our determination, when the questions to which I have referred shall have been so settled, to withdraw from the military occupation of the city, and to restore it to the Imperial authorities. Meanwhile, it is our sincere wish that, during the period of our military occupation, the feelings of the people be respected, life and property protected, the good rewarded, and offenders, whether native or foreign, punished. We are desirous to co-operate with your Excellency for these objects; and, with this view, we have appointed a tribunal, composed of officers of high character and discretion, to act in concert with you. We hope that, through the agency of this tribunal, confidence may be restored to the people, and the foundation laid of a better understanding between foreigner and native, so that hereafter all may pursue their avocations in peace, and traffic together for their mutual advantage.

A commission to coöperate with Pihkwei

The allies placed a "power behind the throne" in the person of a commission, composed of two English members and one French member. The real head of the commission was Mr. Parkes, whose determined attitude at the time of the *Arrow* affair ultimately led to the successful conclusion of the city question.

The commission had a military force, which patrolled the city. No proclamation could be issued by Governor Pihkwei until it had received the seal of the commission.

166. Establishment of the Canton Commission

In one compartment of the same yamun* was established a commission, composed of Colonel Holloway, Captain Martineau, and Mr. Parkes. The object of this was ostensibly to adjudicate upon cases brought by the Chinese of robbery or violence committed by our men upon the population; but its principal function was to exercise a rigid surveillance over

*Pihkwei's [Ed. note].

Pihkwei—to superintend the issuing of proclamations—and to collect information from private sources upon all matters affecting the disposition of the inhabitants, and the security of our tenure of the city. At the same time, the institution of a tribunal invested with judicial functions was not without a beneficial effect, as well upon the Chinese as upon our own troops. To the former it proved our desire to protect the private property and lives of the citizens; and to the latter it manifested the determination which existed on the part of their own authorities to repress those outrages which were unfortunately becoming too common, and which, while they struck at the root of all military discipline, impaired the influence it was desired to acquire over the inhabitants by the exercise of moderation and justice.

After the installation of Governor Pihkwei, and the allied commission, trade went on briskly in the city. Tea and cotton goods were the chief commodities exchanged. It soon seemed doubtful to Mr. Parkes, however, judging by the attitude of the people, whether it was clearly understood by them that Canton *was* in the hands of the allied forces. Writing to a friend on April 12, Parkes says:

**167. Attitude of the government and people toward commission government**

The Canton people appear completely perplexed; not less with the policy of their own Government than that of the Allies. That a city should be captured and then at once given back into the hands of its former Government is a circumstance wholly without precedent in their annals, and they scarcely know how to regard the fact. I doubt whether they consider it as a mark of strength on our part. It suits the Chinese Government well in one respect, as at a distance they are enabled to ignore the fact of our being in occupation; and in a report to the Emperor from Pih-kwei, which, wholly by accident, I obtained a glance of the other day, I observe that, in alluding to us, he speaks of "since the date of the appearance of the barbarians in the river," and "as long as they remain in their present position in the river," etc., etc., mention of their being in the city being studiously avoided.

Nor was Commissioner Parkes any better pleased with the cautious attitude adopted by the plenipotentiaries, Elgin and Gros. Less than a month before the above

letter was sent he wrote to a relative quite frankly as to the state of affairs.

168. Commissioner Parkes's criticism of the plenipotentiaries' policy toward Canton, March 14, 1858

The chief thing that disconcerts me is our China policy. Generally it is a weak one, and gives no promise of any great success. Lord Elgin I do not consider a *great man*. He may be a man that suits the Government well, very cautious, having ever before him Europe, Parliament, the World, the Public, etc. It is with him, What will these parties say to this or that? and not What is best suited to the emergency? Conciliation, mildness, etc., etc., is with him therefore the order of the day: it will quiet the House, it will satisfy the British Public, etc., etc.; and in truth, seeing how poor Sir John Bowring caught it by the said public and his Parliamentary friends for doing the best thing he ever did do (next to the Siamese Treaty) and acting vigorously, a public man has not much encouragement in these parts. . . .

Here we have a slippery customer in Pih-kwei, and the good that should have resulted to us from the capture of the city is negatived in no small degree by what has occurred since. He is playing off the "braves" and villagers against us as of old and the consequence is that no one is safe a mile from the city. And how do you think this is met by *Plenipotentiaries? By ordering that no one shall go a mile from the city!*

## *Section 30. The Campaign in the North, 1858*

The relations of China with Russia have not hitherto been touched upon. Since the days of Yermak, in the second half of the sixteenth century, Russia had been pressing steadily eastward through Asia. It was with Russia that China signed her first treaty with a Western nation; this was the Treaty of Nertchinsk in 1689.

The trade over the frontier of the two countries was important. In 1857 Admiral Count Poutiatine appeared in the East for the purpose of negotiating a commercial treaty with China by which the treaty ports, opened to the Western powers by the treaties of 1842–1844, should be opened to Russia. Trade at Kiahkta was permitted with Russia, but not at the treaty ports. Mr. Oliphant

narrates Count Poutiatine's difficulties to show why the Russian envoy joined the allied ministers at Hongkong in November, 1857.

169. Count Poutiatine joins the allied ministers at Hongkong

Early in November the American Minister, Mr. Reed, arrived in a frigate of gigantic proportions, and the Russian Minister, Count Poutiatine, in a paddle-wheel steamer of very minute dimensions. The latter had made the journey overland from St. Petersburg to the Amour; not, however, without having applied for admission to Pekin by way of Kiahkta. On this being refused, he proceeded, on his own responsibility, to the mouth of the Peiho, where he was informed that no communication with the court of Pekin could be made on his behalf from that point. It was, however, after some time, conceded to him that a letter would be forwarded to Pekin, but that, if he wanted a reply, he must return to Kiahkta and wait there. Count Poutiatine declined to accede to these terms, and in consequence it was ultimately arranged that an answer should be sent to him at the mouth of the Peiho, whither he would return to receive it. When at last, after an interval of some weeks, Count Poutiatine once more appeared at the mouth of the Peiho, he received his answer, which consisted of a refusal to see him at Pekin, with an intimation that under no circumstances could the performance of the "Kotow" be dispensed with. The result of his experience had in fact been, to confirm the opinion entertained by Lord Elgin from the commencement, that nothing could be done with the Government of China except at the Peiho, and then only when a force sufficient to strike terror into the capital, and of a description calculated to navigate the shallow waters that lead to it, should be assembled there, to give irresistible force to the arguments of diplomacy.

Lord Elgin and Count Poutiatine discussed the methods of settling their difficulties with the imperial government. On November 14, the former reported to his government the advice given by the Russian envoy.

170. Count Poutiatine advises pressure on Peking

Count Poutiatine was very decided in the expression of his opinion that nothing could be done with the Chinese government unless pressure were brought to bear upon Pekin itself; and that the use of vessels drawing so little water that they could navigate the Peiho would be the best means of making such pressure effective. The mandarins on the spot, if I

rightly understood him, had, in conversation with him, adverted with exultation to the fact that our ships of war could not perform this feat.

I told him that we were pretty strong in craft of the description to which he referred; that we had, as he no doubt knew, a quarrel of our own in this neighborhood, but that, when that affair was concluded, we should be prepared to go northwards in force, and very glad to be accompanied by the flags of other nations interested with us in extending commercial relations with China, and inducing that Court to abate its absurd pretensions to superiority.

Shortly after his inauguration as president of the United States, in March, 1857, President Buchanan appointed Mr. William B. Reed as envoy-extraordinary and minister-plenipotentiary to China. The new envoy was instructed to attempt to obtain a revision of the treaties but not to use unfriendly persuasion. His relations with Commissioner Yeh soon convinced him that a trip to the north was the only practical method for settling affairs. He accordingly announced his decision to Lord Elgin.

171. Mr. Reed's decision to go to the north

Legation of the United States,
"Minnesota," February 6, 1858.

My Lord,

I have the honour to receive your Excellency's despatch of the 4th instant, accompanied by copies of the correspondence with the late Imperial Commissioner Yeh, and of a note, forthwith to be sent to the Prime Minister or Senior Secretary of State of the Emperor of China. I beg to thank you for the frankness and unreserve of this communication.

It is in perfect consonance with the spirit and letter of my instructions for me, as the Representative of the United States, to support the attempt about to be made by his Excellency Baron Gros and your Lordship to induce the Government of China to consent to such arrangements as may obviate future misunderstandings and tend to develop commercial relations between China and other nations. . . .

The United States, as you are aware, have grave causes of complaint against China, and it is a matter of regret, if not surprise, that the forbearance which it has been our duty and policy to exhibit towards a Power of relative weakness

has produced little or no effect. I now cherish the hope that the thorough and complete concord of the Western Powers, which your Excellency desires to initiate, may render unnecessary such coercive measures on the part of the United States as I have recently felt it my duty to recommend.

I shall at once address to the Imperial authorities at Pekin a communication, defining very distinctly the attitude and intentions of the United States, and shall be most happy to forward it by one of the ships of this squadron to Shanghae, at the same time that the letters of your Excellency and Baron Gros are sent. The United States' frigate "Mississippi" will be ready to proceed to Shanghae on this mission early next week.

I shall have the honour to forward to you a copy of my letter to the Imperial Court, as well as of my correspondence with the Commissioner at Canton, as soon as they can be prepared.

I have, &c.

(*Signed*) William B. Reed.

It was a source of disappointment to the French and the English envoys that neither America nor Russia decided to join in the military and naval demonstrations. Both countries, however, in spite of the fact that they had great interests involved, decided to use peaceful means if possible in bringing about the consummation of their desires and, in any case, to await developments before changing their policies.

172. Count Poutiatine defines the Russian policy

(Translation) *Shanghae, March* 29, 1858.

My Lord,

I had the honour of informing your Excellency some weeks ago that I expected fresh instructions from St. Petersburg. These supplementary instructions have just arrived by courier, and I consider it my duty to acquaint you with their purport.

The Imperial Ministry is animated by the liveliest desire to see the present complications in China arrive at a happy and satisfactory conclusion, and directs me to lend my moral support to all demands of common interest which may be made by the Plenipotentiaries of other Powers to the Court of Pekin. At the same time the Ministry remains true to its first and absolutely pacific intentions; it would not have

recourse to arms except as a last extremity, and it enjoins me to abstain from all coercive measures against the Chinese Government.

I have further to acquaint you that, by order of His Majesty the Emperor, my august Master, I have taken the title of Imperial Commissioner and Commander-in-chief of the squadron which is destined for the Chinese and Japanese seas.

I beg, &c.

(*Signed*) CTE. POUTIATINE.

After the capture of Canton and the settling of the questions relating to the government of that city, the British, French, Russian, and American envoys sent notes at the same time addressed to the "Senior Secretary of State" at Peking. These notes were forwarded in order to give one last chance to the imperial government to come to terms without waiting for an expedition to the Pei-ho.

173. Lord Elgin's note to the Senior Secretary of State

*"Furious", Canton, February* 11, 1858.

The undersigned, &c., has the honour to inform his Excellency the Senior Secretary of State that the Imperial Commissioner Yeh, having, in the exercise of the authority delegated to him by His Imperial Master, refused to grant to the subjects of Her Majesty the Queen of Great Britain, and to the subjects of His Majesty the Emperor of the French, their Treaty-rights and just compensation for injuries inflicted, the High Officers representing the Governments of Great Britain and France have been compelled to have recourse to arms. The city of Canton, captured after a brief resistance, is now in the possession of the allied forces, and the Imperial Commissioner a prisoner in their hands. . . .

The Plenipotentiaries of England and France will, meanwhile, proceed in person to Shanghae, where they will be prepared to enter into negotiations for the settlement of all differences existing between their respective Governments and that of China, with any Plenipotentiary duly accredited by the Emperor of China, who may present himself at that port before the end of the month of March.

The Undersigned, however, in making this communication, thinks it proper to apprize the Senior Secretary of State that . . . he cannot . . . consent to treat with any Chinese Ambassador who does not hold from the Emperor of China full-powers equally extensive. . . .

It is probable, for example, that if Pekin, the seat of the Imperial Government, had been accessible to foreign Ministers, according to the practice which obtains universally among the great nations of the west, the calamities which have lately taken place at Canton might have been averted. . . .

Again, if foreigners were permitted to circulate in the Empire under regulations which would give sufficient security for their good behaviour, such occurrences as the barbarous murder of the French missionary in Kwang-si, which has led to consequences so serious, would probably be prevented.

The spontaneous growth of an unrecognized trade at ports of the Empire not opened by Treaty, and from which, therefore, the Imperial Treasury derives no benefit, proves how vain is the attempt to confine the foreign trade to the few ports named in the existing Treaties. . . .

If . . . no Plenipotentiary so accredited shall present himself at Shanghae before the end of the month of March, or if any Plenipotentiary so presenting himself shall be found to have insufficient powers, or if, having the requisite powers, he shall prove himself unwilling to accede to reasonable terms of accommodation, the Undersigned hereby reserves to himself the right of having recourse, without further announcement, delay, or declaration of hostilities, to such measures, in vindication of the claims of his country on China, as in his judgement it may appear advisable to adopt.

(Signed) ELGIN AND KINCARDINE.

The notes of the four powers were sent to Shanghai, and from there carried to Soochow by an English secretary, Mr. Laurence Oliphant, and a French secretary M. de Contades, accompanied by an interpreter and the British, French, and American consuls at Shanghai, for delivery to the governor of Kiangsu province. He was to transmit the notes to the Nanking viceroy by whom they would be sent to Peking. Mr. Oliphant has left a description of the reception of the secretaries by the governor of Kiangsu. This interview occurred on February 26, 1858.

**174. Visit of Western representatives to the governor of Soochow**

We were received at the yamun by the usual Chinese salute of three guns, and passed through the several courts

between rows of soldiers and attendants, drawn up in line and dressed in a species of livery. The Governor* met us with great politeness, at the door of the audience-hall, and seated M. de Contades and myself on the raised estrade, which usually forms the centre of a semicircle of chairs on these occasions, and is considered the seat of honour. The governor himself took a seat to our right, which in this land of ceremonies, was considered an additional compliment, inasmuch as the further you are to the left of your host the more highly honoured is your position. Then followed an elaborate interchange of compliments when the visitor resigns himself entirely to the good offices of the interpreter, who in all probability throws them into somewhat the following shape.

English gentleman, who has never seen his Chinese host before, expresses his pleasure at meeting him.

An example of ceremonially polite language

INTERPRETER.—"His Excellency has long looked forward to this day."

CHINESE DIGNITARY.— 'I meet him now as an old friend, and request to know his honourable age.'

INT.—"His Excellency has profitlessly passed —— years."

CHIN. DIG.—"The ears of his Excellency are long, and betoken great ability."

INT.—"Ah! Oh! He is unworthy of the compliment."

CHIN. DIG.—"You have had an arduous journey?"

INT.—"We deserved it."

CHIN. DIG.—"I trust your honourable health is good."

INT.—"Relying on your happy auspices, His Excellency's health is still robust."

INT.—"The great Emperor of your honourable nation, is he well?"

CHIN. DIG.—"He is well. The Great Sovereign of your honourable nation, is she well?"

INT.—"She is well. Do the troublesome pests (rebels) still infest the country?"

CHIN. DIG.—"The insects are being speedily exterminated."

Such, I have little doubt, was the tone of conversation which Mr. Meadows and Chaou kept up for a few minutes, until we went on to inform his Excellency that we were the bearers of notes for the Prime Minister Yu, from the four Powers, which were of the utmost importance, and which, we trusted, he would lose no time in forwarding, as delay in

* Governor Chaou, of the province of Kiangsu [Ed. note].

their transmission might seriously compromise the interests of the Empire. The covering despatch to himself he opened and read, a crowd of attendants collecting around him and making themselves acquainted with its contents over his shoulder. As we desired that the whole proceeding should be invested with as much publicity as possible, this mode of conducting business, though rather unusual in western diplomacy, was quite in accordance with our wishes.

We were now conducted to a recess, and invited to partake of an extensive display of fruits, pastry, and preserves, first, however, being invited to uncover our heads by our host, who says,—"Will you elevate the cap?" On which he is answered,—"We are behaving in a scandalously outrageous manner, forgive our crime;" by which we mean elegantly to apologise for the liberty we are taking in sitting down bareheaded. Then we engage in general conversation, in the course of which Chaou makes sundry inquiries as to the condition of Canton, wishes to know whether we are going to kill Yeh, and when the Ambassadors are coming north. . . .

At last we "begged to take our leave," and began violently to "tsing-tsin," a ceremony which consists in clasping your hands before your breast, and making a crouching baboon-like gesture. It is the equivalent of shaking hands. . . . Our host insists upon following us to our chairs. We remonstrate—"Stop, stop, stop, we are unworthy," say we. "What language is this?" he replies. 'We really are unworthy," we reiterate. "You are in my house," he insists; and so we back to our chairs, perpetually imploring him not to trouble himself by accompanying us, which he vehemently resists, until at last, when we are in our chairs, he reluctantly consents to return, apologising to the last for being so rude as to leave us even then.

The Secretary of State, Yu, replied to the notes of the powers: The English, French, and American ministers should return to Canton, there to settle their difficulties with a new commissioner; the Russian minister should go to the Amur instead of to Canton. There he would receive answers to his previous communications.

In accordance with their plans, it was decided now that the expedition to the Pei-ho should take place. On April 10, the allied naval forces sailed from Shanghai

for the north. On arrival off the Pei-ho, Elgin addressed another letter to the Prime Minister of the emperor.

175. "The Earl of Elgin to the Prime Minister of the Emperor of China"

"*Furious*," *Gulf of Pechelee, April* 24, 1858.

In a letter bearing date the 1st instant, and written from Shanghae, the Undersigned had the honour to apprise the Prime Minister etc. that the Prime Minister having by refusing to correspond directly with the Undersigned, set the provisions of the Treaty between Great Britain and China at naught, the Undersigned had resolved to proceed at once to the north, in order that he might place himself in more immediate communication with the high officers of the Imperial Government at the Capital.

He has now to state that, in pursuance of the above intimation, he has arrived off the mouth of the Tien-tsin river, and that he is prepared to meet at Takoo, either on board of his own ship or on shore, a Minister duly authorised by the Emperor of China to treat with him, and to settle by negotiation the several questions affecting the relations of Great Britain with China, which are detailed in a letter of the Undersigned to the Prime Minister, bearing date February 11.

If, before the expiry of six days from the date of the present communication, a Minister so accredited shall not have presented himself at Takoo, the Undersigned will consider this pacific overture to have been rejected, and deem himself to be thenceforward at liberty to adopt such further measures for enforcing the just claims of his Government on that of China as he may think expedient.

(*Signed*) ELGIN AND KINCARDINE.

Almost a month was spent in conversations, correspondence, and dilatory tactics. At length, on May 20, the Taku Forts were occupied by the allied forces. On the twenty-first, Admiral Seymour reported the action to Lord Elgin.

176. Admiral Seymour's notification to Lord Elgin of the taking of the Taku Forts

"*Coromandel*", in the Peiho, May 21, 1858.

MY LORD,

I would have informed your Lordship last night of the result of our operations yesterday, but Mr. Bruce, seeing how much engaged I was, kindly offered to do so in person.

I have now the honour to inform your Excellency that the notification and summons previously agreed upon and pre-

pared, of which your Lordship was cognizant, were delivered to the Imperial Commissioner Tau, shortly after 8 A. M. yesterday. No answer having been returned, soon after 10 o'clock the signal was made for the gun-boats to take up their positions. On the movement of the "Cormorant", the leading vessel, in the direction towards the mouth of the river, the Chinese opened a general fire, which, after a few minutes, was returned by the allied gun-boats. After a heavy cannonade of about an hour and a quarter, the forts were completely dismantled by the well-directed fire of the French and English gun-boats, and the garrisons driven out. The allied forces then landed and took possession of the forts on each side of the river. Subsequently the landing-party on the north side, supported by gun-boats, advanced, and, after a well sustained opposition, took possession of a strong battery at the first bend of the river, and of several strongly entrenched camps protected by flanking batteries. . . .

I have, &c.
(*Signed*) M. SEYMOUR.

Nine days after the action described above, that is, on May 29, the plenipotentiaries of the four powers entered Tientsin.

177. Ideas of the people of Tientsin as to purposes of allied representatives

The Admirals did in effect reach Tientsin within a few hours afterwards, and Admiral Seymour was immediately waited upon by a deputation of leading merchants and gentry. These people being impressed with the absurd notion that our real object, in pursuing a vigorous policy in China, was an extension of our commercial relations with it, immediately offered to trade with the gunboats then at Tientsin, in spite, they themselves averred, of the opposition of their Government, and requested the Admiral to send in a list of the merchandise he wished to dispose of, together with their prices; and in consideration of his finding a ready market, they went on to express a hope that he would spare the town. Mr. Lay informed these gentlemen that we desired not trade, but Commissioners, and that, if these did not speedily make their appearance, he feared the town would be destroyed; upon which the deputation stated that they would themselves proceed to Pekin, and knock without ceasing at the Imperial Palace; and they guaranteed that by their importunity they would obtain Commissioners, and hoped that in the mean time their august Excellencies, then in the river, would be satisfied with abundance of beef and provisions, upon which numbers of oxen were incontinently brought to the bank and sacrificed as peace-offerings.

### *Section 31. The Treaties of 1858*

On the day that the four envoys reached Tientsin an imperial decree was issued appointing Kweiliang, grand secretary, and Hwashana, president of the Board of Civil Office, as plenipotentiaries. The impression these men made on Dr. S. Wells Williams, one of the two interpreters aiding Mr. Reed, is interesting.

178. Dr. Williams's opinion of Kweiliang and Hwashana

. . . It is impossible not to feel a high degree of respect for Kwehang, not alone from his long and honorable services, and regard for his station as the first statesman in the Empire, but from his venerable age and the unaffected kindness of his demeanor. Hwashana has less urbanity, but his practical sense and candor entitle him to a high position. Chosen doubtless for their well-known ability, these two men were appointed to negotiate at a critical period in the history of their country; and while we are able to judge the value of their concessions, we are not so able to estimate the obstacles they may have had to overcome in reaching them; and they are still less in a good position fully to appreciate all their results. We are probably more disposed to be strict in our judgment of their errors and failings, than to consider the misconceptions and disadvantages under which they have been nurtured, and the ignorance they are in of their own true interests.

The first treaty to be signed was that with Russia on June 13. Five days later the American treaty was signed by Mr. Reed, Kweihang, and Hwashana. In the latter treaty the right to send an envoy to Peking on special business, as granted to Russia, was accepted. In addition, it was agreed in Article VI, that if "at any time His Majesty the Emperor of China shall by Treaty voluntarily made, or for any other reason, permit the representative of any friendly nation to reside at his capital for a long or short time, then, without any further consultation or express permission, the representative of the United States in China shall have the same privilege."

Lord Elgin's private secretary, Mr. Oliphant, summarized and commented on the signing of these treaties.

179. Signing of the Russian and American treaties

On the 14th* of June, Count Poutiatine signed his treaty, in which the chief concessions gained were, the right of correspondence upon an equal footing between the Russian Minister of Foreign Affairs and the Prime Minister or First Minister of the Council of State at Pekin; permission to send diplomatic agents to that city upon special occasions; liberty of circulation throughout the Empire of missionaries only, under a system of passports; and the right to trade at ports at present open, and, in addition, at Swatow, at a port in Formosa, and another in Hainan.

Four days afterwards, the American treaty was signed by Mr. Reed, in which the same privilege of special missions to Pekin was accorded to the Government of the United States, and the same additional ports opened to its trade.

These were by no means trifling concessions, and, eked out by "the most favoured nation clause," were a great advance on the privileges formerly enjoyed by Russia and the United States in China. It would be a mistake, however, to suppose that they were willingly granted by the Chinese Government. Much more moderate demands, when preferred the year before by the Ministers of Russia and the United States respectively, had been peremptorily refused. Indeed, both Count Poutiatine and Mr. Reed, upon concluding these treaties, expressed, in the most frank and candid manner, the conviction they entertained, that the concessions they had gained had been due to the pressure exercised, at this juncture, upon the Imperial Cabinet by the allied Governments of France and England.

The English treaty was signed on June 26, and the French on the following day. A clear idea of the difficulties to be overcome in the carrying on of negotiations is gained by a perusal of parts of Mr. W. A. P. Martin's diary. Mr. Martin and Dr. Williams were Mr. Reed's interpreters and were thus in a position to obtain a clear idea of events.

180. Signing of the English and French treaties

June 19th. The new treaty being concluded, the duty next in order was to restore to the Chinese an original copy of the old one, found in the viceroy's yamen at Canton, along with copies of the English and French treaties. The lucky hour selected by the commissioners for receiving it was 4

* An error. The treaty was signed June 13 [Ed. note].

P. M., at which time Dr. Williams and I conveyed it to their lodgings. They were about despatching a courier to the emperor, and had just completed the elaborate ceremonial which they go through on all such occasions. It consists in lighting tapers and burning incense before the document inscribed with the emperor's name, and performing before it, as if in the imperial presence, the *koto*, or nine prostrations.

The object of their memorial was to ascertain the pleasure of his Majesty touching some points in the English and French treaties. The demands of the Allies and the reluctance of the emperor to accede to them had thrown the commissioners into a sad state of perplexity, and old Kweiliang remarked despondingly that, however faithful they might be, it would be impossible to escape being censured by their master. . . .

June 25th. This morning Mr. Reed had what he supposed to be a final interview with the imperial commissioners at the temple of the Wind-god, where he had met Keying. At parting he shook their hands, expecting to see them no more, but scarcely had he reached his lodgings when a messenger came with a request that he would come to their hotel as quickly as possible on urgent business. A similar request was sent to the Russian minister.

On arriving the neutral ministers were told that an imperial decree had been received, in which H. I. M. positively rejected several of the most important demands of the English. A paper was produced which professed to be an extract. In this the emperor was made to say that he would 'negative with ten thousand vetoes any proposition to place a resident minister at Peking; that unrestricted intercourse with all parts of the empire for purposes of trade could by no means be allowed; and that, the banks of the Great River being disturbed by rebels, its navigation was not to be treated of.'

Kweiliang's appeal

'You see,' said Kweiliang, addressing himself to the two ministers, 'how importunately the English urge their demands, and how decidedly our great emperor rejects them. Between the two our lives are in jeopardy. If we sign a treaty containing these concessions we shall be condemned as traitors. If we refuse, the English will renew hostilities, and we shall be put to death for failing to bring them to terms. But for myself, if I must die I prefer to fall with hands unstained by the guilt of betraying my country. In this emergency it is to you that we look for help. Your honorable nations have always been our friends, and we have just confirmed our friendship by renewing our treaties. We entreat you therefore to use your combined influence to induce Lord Elgin to recede from these unreasonable demands. Our every hope depends on your exertions.'

While uttering this speech the voice of Kweiliang, enfeebled with age, became tremulous with emotion. The neutrals assured him of their sympathy (what could they do less?), but were unable to quiet his apprehensions with anything better than the vaguest promises. Throughout the interview Hwashana maintained a stoical composure, and his bearing on this, as on other public occasions, was characterized by a severe dignity worthy of the 'grand marshal' of the blue-bordered banner.

June 26th. From the tone of this interview I was disposed to augur unfavorably as to the prospects of the fête our English friends were expecting to celebrate, and feared that those officers who had come up from the outer anchorage to witness the signing of the treaty would be parties to a less pacific spectacle. But at 6 P. M. the marine companies were drawn up in front of Lord Elgin's lodgings, and he came forth amid the blare of a military band and the cheers of the allied squadrons. Banners of every color floated in gay festoons from the mastheads of the steamers, and the yards were manned to do honor to the occasion.

After an absence of two hours he returned with the sign and seal of the imperial commissioners *to all his demands.* By what arguments they were persuaded to compliance it is not difficult to divine; but whether the prohibitory edict was a myth, the extract exhibited to us a forgery, and their pathetic appeal to the intercession of the neutral ministers only a subterfuge of baffled diplomacy, or whether they have devoted themselves to a future but inevitable doom, to avert from their country a present calamity, are questions which do not admit of so ready a solution.

June 27th (Sunday). The French treaty was signed this evening. Gallic taste and ingenuity succeeded in eclipsing the pageant of yesterday. The hour was so fixed that the splendors of a torch-light procession shed over the return of the baron an air of triumph. All the vessels of the combined squadron received him with prolonged cheering, and as he entered his domicile a blaze of pyrotechny hailed the finale of the war with China. . . .

July 6th. The four treaties, combined in one despatch, were sent to Peking by a fleet courier, while the commissioners waited in breathless suspense for the imperial rescript. At length the vermilion pencil deigned a reply. 'We have seen their memorial and know its contents,' was its oracular utterance. The commissioners felt relieved that it had not come charged with a thunderbolt, and thought the foreign plenipotentiaries ought to be equally satisfied; but those unmeaning words afforded no assurance that the treaties would ever be ratified, and nothing short of such a guarantee could warrant

the Allies in withdrawing their forces; for what evidence have they that on the removal of pressure the emperor will not repudiate the acts of his ministers? They resolved to apply the screws and compel an explicit promise of ratification. Gunboats were despatched to the outer anchorage with orders to bring up a thousand additional troops. The mere demonstration proved sufficient, and peace is maintained at least for the present.

Further light is thrown on the intricacies of the situation by Lord Elgin's reflections as shown in his diary. Lord Elgin's conviction as to his own position and the meaning of his actions forms a suggestive study.

**181. Reflections of Lord Elgin on the signing of the treaty**

June 29th.—I have not written for some days, but they have been busy ones. We went on fighting and bullying, and getting the poor commissioners to concede one point after another, till Friday the 25th, when we had reason to believe that all was settled, and that the signature was to take place the following day. On Friday afternoon, however, Baron Gros came to me with a message from the Russian and American ministers to induce me to recede from two of my demands—1, a resident minister at Peking, and, 2, permission to our people to trade in the interior of China; because, as they said, the Chinese plenipotentiaries had told them that they had received a decree from the Emperor stating that they should infallibly lose their heads if they gave way on these points.

The resident minister at Peking I consider far the most important matter gained by the treaty; the power to trade in the interior hardly less so. I had at stake not only these important points in my treaty, for which I had fought so hard, but I know not what behind. For the Chinese are such fools that it was impossible to tell, if we gave way on one point, whether they would not raise difficulties on every other. I sent for the admiral; gave him a hint that there was a great opportunity for England; that all the powers were deserting me on a point which they had *all*, in their original applications to Peking, demanded, and which they all intended to claim if I got it; that, therefore, we had it in our power to claim our place of priority in the East by obtaining this when others would not insist on it. Would he back me? This was the forenoon of Saturday, 26th, and the treaty was to be signed in the evening.

I may mention, as a proof of the state of people's minds, that Admiral Seymour told me that the French admiral had

urged him to dine with him, assuring him that no treaty would be signed that day! I sent Frederick to the imperial commissioners to tell them that I was indignant beyond all expression at their having attempted to communicate with me through third parties; that I was ready to sign at once the treaty as it stood: but that if they delayed or retreated, I should consider negotiations at an end, go to Peking and demand a great deal more, etc. Frederick executed this most difficult task admirably, and at six P. M. I signed the treaty of Tien-tsin. I am now anxiously awaiting some communication from Peking. Till the Emperor accepts the treaty I shall hardly feel safe. Please God he may ratify without delay! I am sure that I express the wish just as much in the interest of China as our own. Though I have been forced to act almost brutally, I am China's friend in all this.

Even after the treaties had been signed there was doubt as to whether the emperor would assent to them. At first a communication was made in which the emperor announced that the memorial dealing with the treaties "had been duly received and its contents noted." Lord Elgin thereupon sent an order for more troops to prepare for action. On July 4, the imperial assent was received.

182. The imperial assent to the treaties

On the 23d day of the 5th moon of the 8th year of Hien Fung (3d July), the Great Council had the honor to receive the following Imperial decree:—

Kweiliang and his colleagues have submitted for our perusal copies of the treaties of the different nations. These have been negotiated and sealed by Kweiliang and his colleague. As Kweiliang and his colleague now represent that the different nations are desirous of having our autograph acknowledgment as evidence of their validity, We (hereby signify) our assent to all the propositions in the English and French, and in the Russian and American treaties, as submitted to us in their previous Memorial by these ministers, and we command that the course pursued be in accordance therewith. Respect this.

The Treaty of Tientsin contains fifty-six articles and one separate article. Several of the more important articles are included here.

### Treaty

183. The English Treaty of Tientsin

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China . . . have resolved to proceed to a revision and improvement of the Treaties existing between them; and for that purpose have named as their plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, the Right Honorable the Earl of Elgin and Kincardine, a Peer of the United Kingdom and Knight of the Most Ancient and Most Noble Order of the Thistle;

And His Majesty the Emperor of China, the High Commissioner Kweiliang, a Senior Chief Secretary of State, styled of the East Cabinet, Captain-General of the Plain White Banner of the Manchu Banner Force, Superintendent-General of the Administration of Criminal Law, and Hwashana, one of His Imperial Majesty's Expositors of the Classics, Manchu President of the Office for the Regulation of the Civil Establishment, Captain-General of the Bordered Blue Banner of the Chinese Banner Force, and Visitor of the Office of Interpretation;

Who, after having communicated to each other their respective Full Powers, and found them to be in good and due form, have agreed upon and concluded the following Articles:—

#### Article I

The Treaty . . . signed at Nanking (1842) . . . is hereby renewed and confirmed. . . .

#### Article II

Arrangement for exchange of ministers

For the better preservation of harmony in future, Her Majesty . . . and His Majesty the Emperor of China mutually agree that, in accordance with the universal practice of great and friendly nations, Her Majesty the Queen may, if She see fit, appoint Ambassadors, Ministers, or other Diplomatic Agents to the Court of Peking; and His Majesty the Emperor of China may, in like manner, if He see fit, appoint Ambassadors, Ministers, or other Diplomatic Agents, to the Court of St. James'.

#### Article III

A resident minister at Peking

His Majesty the Emperor of China hereby agrees that the Ambassador, Minister, or other Diplomatic Agent, so appointed by Her Majesty the Queen of Great Britain, may reside, with his Family and Establishment, permanently at the Capital, or may visit it occasionally, at the option of the British Government. He shall not be called upon to perform any ceremony derogatory to him as representing the Sover-

eign of an independent nation, on a footing of equality with that of China. On the other hand, he shall use the same forms of ceremony and respect to His Majesty the Emperor as are employed by the Ambassadors, Ministers, or Diplomatic Agents of Her Majesty towards the Sovereigns of independent and equal European nations.

It is further agreed that Her Majesty's Government may acquire at Peking a site for Building, or may hire Houses, for the accommodation of Her Majesty's Mission, and that the Chinese Government will assist it in so doing.

Her Majesty's Representative shall be at liberty to choose his own Servants and Attendants, who shall not be subjected to any kind of molestation whatever.

Any person guilty of disrespect or violence to Her Majesty's Representative, or to any member of his family or Establishment, in deed or word, shall be severely punished.

### Article V

Equality

His Majesty the Emperor of China agrees to nominate one of the Secretaries of State, or a President of one of the Boards, as the High Officer with whom the Ambassador, Minister, or other Diplomatic Agent of Her Majesty the Queen shall transact business, either personally or in writing, on a footing of perfect equality.

### Article VII

Appointment of consuls

Her Majesty the Queen may appoint one or more Consuls in the dominions of the Emperor of China, and such Consul or Consuls shall be at liberty to reside in any of the Open Ports. . . . They shall be treated with due respect by the Chinese authorities, and enjoy the same privileges and immunities as the Consular Officers of the most favoured nation.

Consuls and Vice-Consuls in charge shall rank with Intendants of Circuits; Vice-Consuls, Acting Vice-Consuls and Interpreters with Prefects . . . on a footing of equality. . . .

### Article VIII

Toleration of Christianity

The Christian religion as professed by Protestants or Roman Catholics, inculcates the practice of virtue and teaches man to do as he would be done by. Persons teaching it, or professing it, therefore, shall alike be entitled to the protection of the Chinese authorities, nor shall any such, peaceably pursuing their calling, and not offending against the laws, be persecuted or interfered with.

### Article IX

Travel in the interior

British subjects are hereby authorized to travel for their pleasure or for purposes of trade, to all parts of the Interior,

under Passports, which will be issued by their Consuls and countersigned by the Local Authorities. . . .

If he be without a Passport, or if he commit any offence against the Law, he shall be handed over to the nearest Consul for punishment, but he must not be subjected to any ill-usage in excess of necessary restraint. No Passport need be applied for by persons going on excursions from the Ports open to trade to a distance not exceeding one hundred *li*, and for a period not exceeding five days. . . .

### Article X

Trade on the Yangtze

British merchant ships shall have authority to trade upon the Great River (Yangtze). The Upper and Lower Valley being, however, disturbed by outlaws, no Port shall be for the present opened to trade, with the exception of Chinkiang, which shall be opened in a year from the date of the signing of this Treaty. . . .

### Article XI

New treaty ports

In addition to the Cities and Towns of Canton, Amoy, Foochow, Ningpo and Shanghai, opened by the Treaty of Nanking, it is agreed that British subjects may frequent the Cities and Ports of Newchwang, Tangchow, Taiwan (Formosa), Chawchow (Swatow) and Kiungchow (Hainan). . . .

### Article XV

Extra-territorial questions

All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British authorities.

### Article XVI

Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by the Chinese authorities according to the Laws of China.

British subjects who may commit any crime in China shall be tried and punished by the Consul or other Public Functionary authorized thereto according to the Laws of Great Britain.

Justice shall be equitably and impartially administered on both sides.

### Article XVII

A British subject having reason to complain of a Chinese must proceed to the Consulate and state his grievance. The Consul will inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if a Chinese have reason to complain of a British subject, the Consul

shall no less listen to his complaint, and endeavour to settle it in a friendly manner. If disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the Chinese authorities, that they may together examine into the merits of the case and decide it equitably.

### Article XXI

If criminals, subjects of China, shall take refuge in Hongkong, or on board the British ships there, they shall upon due requisition by the Chinese authorities, be searched for, and on proof of their guilt be delivered up.

In like manner, if Chinese offenders take refuge in the houses, or on board the vessels of British subjects at the open Ports, they shall not be harboured or concealed, but shall be delivered up, on due requisition by the Chinese authorities, addressed to the British Consul.

### Article LI

Use of the term "barbarian" prohibited

It is agreed that, henceforward, the character "I" (barbarian), shall not be applied to the Government or subjects of Her Britannic Majesty in any Chinese official document issued by the Chinese Authorities either in the Capital or in the Provinces.

### Article LII

British ships of War, coming for no hostile purpose or being engaged in the pursuit of Pirates, shall be at liberty to visit all Ports within the Dominions of the Emperor of China, and shall receive every facility for the purchase of provisions, procuring water, and, if occasion require, for the making of repairs. The Commanders of such ships shall hold intercourse with the Chinese authorities, on terms of equality and courtesy.

### SEPARATE ARTICLE

annexed to the Treaty. . . .

Indemnity

It is hereby agreed that a sum of Two Millions of Taels, on account of the losses sustained by British Subjects, through the misconduct of the Chinese authorities at Canton, and a further sum of Two Millions of Taels on account of the military expenses of the expedition which Her Majesty the Queen has been compelled to send out for the purpose of obtaining redress, and of enforcing the due observance of Treaty provisions, shall be paid to Her Majesty's Representative in China by the authorities of the Kwang Tung Province. . . .

When the above amounts shall have been discharged in full, the British Forces will be withdrawn from the city of Canton.

Done at Tientsin this Twenty-sixth day of June, in the year of Our Lord One Thousand Eight Hundred and Fifty-eight,—

Corresponding with the Chinese da e, the Sixteenth day, Fifth moon, of the Eighth year of Hien Fung.

In October, 1858, a trade conference between the English and Chinese representatives was held in Shanghai. Kweiliang and Hwashana were sent to this conference with several other powerful officials. The reason for the sending of such distinguished representatives was that the imperial court hoped to obtain a change in the Treaty of Tientsin in reference to the resident envoy in Peking. After considerable hesitation due to the fear that the treaty would be overturned before ever it should come into effect, but desiring that peace should really result from the negotiations, Lord Elgin on October 30 wrote:

184. Provisional agreement regarding residence of English ministers in Peking

The Imperial Commissioners observe, that if, in accordance with the plain language of the Treaty-stipulations, Her Majesty's Government shall determine to place the British Minister in permanence at Pekin, it is impossible for China to gainsay this determination. This is doubtless a correct appreciation of the inviolability of the conditions by Treaty agreed to. . . .

The exercise of the Treaty-right in question, their letter proceeds to urge, is, notwithstanding, of serious prejudice to China, mainly because, in her present crisis of domestic troubles, it would tend to cause a loss of respect for their Government in the minds of her subjects; and their Excellencies accordingly request the Undersigned to beseech Her Majesty, to whom the Treaty undoubtedly leaves it to determine whether or not her representatives shall permanently reside at the capital, or occasionally visit it, to decide in favor of the latter course.

Their proposal has been attentively considered by the Undersigned; and he now begs to state that, although he is resolved by no act or word to abate one tittle of the rights secured to his government by Treaty, it is his wish, so far as such a

course is consistent with his duty, to endeavour to reconcile due consideration of the feelings of the Chinese Government with the satisfaction of the rights of his own. He is prepared, consequently, on viewing the whole of the circumstances before him, at once to communicate to Her Majesty's Government the representations that have been addressed to him by their Excellencies the Imperial Commissioners upon this important question; and humbly to submit it as his opinion that if Her Majesty's Ambassador be properly received at Pekin when the ratifications are exchanged next year, and full effect given in all other particulars to the Treaty negotiated at Tien-tsin, it would certainly be expedient that Her Majesty's Representative in China should be instructed to choose a place of residence elsewhere than at Pekin, and to make his visits to the capital either periodical, or only as frequent as the exigencies of the public service may require. . .

(*Signed*) ELGIN AND KINCARDINE.

In the rules and regulations, agreed to in the Shanghai conference, "in pursuance of Article XXVI of the Treaty of 26th June 1858" that one which relates to the legalization of the opium traffic is of historic interest.

185. Opium legalized

RULE 5.—*Regarding certain commodities heretofore Contraband.*

The restrictions affecting trade in Opium . . . are relaxed, under the following conditions:—

1.—Opium will henceforth pay thirty taels per picul Import Duty. The importer will sell it only at the port. It will be carried into the interior by Chinese only, and only as Chinese property; the Foreign trader will not be allowed to accompany it. The provisions of Article IX of the Treaty of Tientsin, by which British subjects are authorized to proceed into the interior with Passports to trade, will not extend to it, nor will those of Article XXVIII of the same Treaty, by which the Transit Dues are regulated. The Transit Dues on it will be arranged as the Chinese Government see fit; nor in future revisions of the Tariff is the same rule of revision to be applied to Opium as to other goods. . . .

Infractions of the conditions, as above set forth, under which trade in Opium . . . may be henceforward carried on, will be punishable by confiscation of all the goods concerned.

In his reply to an address made by one of the merchants of Shanghai Lord Elgin gives us a clue to the

methods used by him in his dealings with the Chinese. His comparison of the manu-facturing East and the machina-facturing West, and his advice to the English merchants are worthy of note.

186. Elgin's interpretation of his policy in China

Lord Elgin, in his reply to the address of the merchants of Shanghai, thus wisely counsels his countrymen as to their future action. He says:—

"I found myself, on my arrival in this country, compelled to act in a great measure on my own judgment. I accepted this task, as in duty bound, without hesitation; but not, I hope, without a due sense of the responsibility attaching to an agent, who, in a distant land, beyond the reach of advice, and in circumstances of unusual difficulty, finds himself the guardian of the good name and interests of a great Christian nation.

"In my communications with the functionaries of the Chinese government, I have been guided by two simple rules of action. I have never preferred a demand which I did not believe to be both moderate and just, and from a demand so preferred I have never receded. These principles dictated the policy which resulted in the capture and occupation of Canton. These same principles will be followed by me, with the same determination, to their results, if it should be necessary to repeat the experiment in the vicinity of the capital of the emperor of China.

"It is matter for me of the highest gratification to know that in pursuing this policy of combined moderation and firmness, I can count not only on the hearty co-operation and active support of the representative of his imperial majesty the emperor of the French, but also on the good will and sympathy of the representatives of other great and powerful nations interested with ourselves in extending the area of Christian civilization, and multiplying those commercial ties which are destined to bind the East and West together in the bonds of mutual advantage.

"One word, gentlemen, in conclusion, as to the parts which we have respectively to play in this important work, and more especially with reference to the last sentence of your address, in which you express the trust that the result of any exertion may be 'more fully to develop the vast resources of China and to extend among the people the elevating influence of a higher civilization.'

"The expectations held out to British manufacturers at the close of the last war between Great Britain and China, when they were told that a new world was open to their trade, so vast that all the mills in Lancashire could not make stock-

ing-stuff sufficient for one of its provinces, have not been realized; and I am of opinion that when force and diplomacy shall have done all that they can legitimately effect, the work which has to be accomplished in China will be but at its commencement.

"When the barriers which prevent free access to the interior of the country shall have been removed, the Christian civilization of the West will find itself face to face not with barbarism but with an ancient civilization in many respects effete and imperfect; but in others not without claims to our sympathy and respect. In the rivalry which will then ensue, Christian civilization will have to win its way among a sceptical and ingenious people, by making it manifest that a faith which reaches to heaven furnishes better guarantees for public and private morality than one which does not rise above the earth.

"At the same time the machina-facturing West will be in presence of a population the most universally and laboriously manufacturing of any on the earth. It can achieve victories in the contest in which it will have to engage only by proving that physical knowledge and mechanical skill applied to the arts of production are more than a match for the most persevering efforts of unscientific industry.

"This is the task which is before you, and towards the accomplishment of which, within the sphere of my duty, I shall rejoice to co-operate."

## SUPPLEMENTARY READINGS

**See references to the preceding chapter, and also:** LANE-POOLE AND DICKINS, *Life of Sir Harry Parkes*, 2 vols. (London, 1894); *British Blue Books, Correspondence Relating to China;* LEAVENWORTH, *The Arrow War with China* (London, 1901); COOKE, *China and Lower Bengal;* OLIPHANT, *Narrative of the Earl of Elgin's Mission to China and Japan in the years 1857–8–9;* W. A. P. MARTIN, *Cycle of Cathay* (New York, 1900); S. W. WILLIAMS, *Middle Kingdom;* G. ALLGOOD, *China War, 1860* (London, New York, 1901); BACKHOUSE AND BLAND, *Annals and Memoirs*, Chap. XVII; EITEL, *Europe in China;* H. B. MORSE, *International Relations*, Vol. I, Chaps. XIV–XVI.

# CHAPTER VIII

## THE SECOND ANGLO-CHINESE WAR—1859–61

### *Section 32. The Rupture at Taku, 1859*

The Second Anglo-Chinese War may be likened to a drama in three acts and a prologue. The city question may be considered as the prologue; the *Arrow* War is Act I; the northern expedition ending with the Treaties of Tientsin is Act II; the third act was the rupture at Taku in 1859 with the final readjustment of 1860.

The commission form of government had been instituted in Canton in January, 1858; it continued to function after the signing of the Tientsin treaties, since peace could not be considered as attained until the exchange of ratifications which was expected to take place in June, 1859.

After the treaty between England and China had been signed, the Honorable Frederick Bruce, Lord Elgin's brother and the secretary to the mission, carried it to England in order to receive the queen's ratification.

**187. The state of affairs in 1859**

Whilst the Canton Commission was quietly but surely restoring peace and prosperity to the South, a breeze from the North wrecked all hopes of a speedy settlement of the China question. The Emperor had agreed to the Treaty of Tientsin in 1858 in order to get the Allies out of their threatening position near his capital, but he had not changed his policy a hair's-breadth, and he and his Ministers had not the smallest intention of allowing the 'barbarians' to break down the old barriers which excluded them from intercourse with his Government and Court. Lord Elgin, in his ignorance of the Chinese character, was completely duped. Instead of

**Elgin's mistakes cause more trouble**

demanding an audience of the Emperor, as befitted the Queen's Ambassador, he did not even enter Peking. Instead of leaving an army at Tien-tsin to guarantee the fulfilment of the Treaty, he went away with his whole force; and afterwards at Shanghai, where he arranged the details of the tariff with the Imperial Commissioners, he committed the fatal blunder of retreating from the position of the Treaty, which established a resident British Minister at Peking, and sanctioning the suggestion that our Minister would only occasionally visit the capital. The result of this weakness became apparent when, three months after Lord Elgin's departure from China, his brother, Mr. Frederick Bruce, came out as Minister, to exchange the ratifications of the Treaty at Peking. The Chinese had taken Lord Elgin's measure, and identified it with the dimensions of the British Government. They had extorted a vital concession, and they resolved to make the most of their advantage. As soon as the fear of the allied armies was removed, they recovered all their former arrogance, and with a view to making a visit of a 'barbarian eye' to Peking impossible, they strengthened the Taku forts at the mouth of the Peiho, which Lord Elgin's force had dismantled in 1858. What happened was easy to be foreseen. On reaching Shanghai on 6th June 1859 Mr. Bruce found that every obstacle was to be placed in the way of his approach to Peking; but his instructions were positive, and he had no alternative but to go on. He knew the Chinese better than his brother, and he was aware that 'anything which looked like hesitation or irresolution would encourage the Chinese and render the object of any mission more difficult to attain without a fresh appeal to force.' So to the Peiho he sailed, accompanied by the French Minister, M. de Bourboulon, and a considerable naval escort. On arriving at the mouth of the river on 20th June they found the channel staked and barred with a boom, and an armed rabble prepared to resist their landing. No mandarin was there to explain the situation. Persisting in their advance, they were beaten back with heavy loss.

The instructions of the Earl of Malmesbury to Mr. Bruce bear date of March 1, 1859. It had been hoped that the Earl of Elgin would reach England before his brother left for China to exchange the ratifications. Finally, in order that the ratifications might be exchanged within the period specified, that is, before June 26, Mr. Bruce was instructed to leave. The directions of Lord Malmesbury demand consideration, as upon them

depend the solution of the question as to the justice and wisdom of the acts of Mr. Bruce in attempting to force a passage up the Pei-ho to Tientsin in his journey to Peking.

168. Lord Malmesbury's instructions to Mr. Bruce (March 1, 1859)

On your arrival at Hong Kong, you will . . . relieve Sir John Bowring of his duties in connection with this office,* and you will make arrangements for transferring the general direction of British affairs in China to Shanghae, at which port it is to be carried on until such time as circumstances shall admit of its being permanently established at Pekin.

To go to the Pei-ho

You will not remain at Hong Kong longer than is absolutely necessary, but proceed to Shanghae on your way to the Peiho.

Her Majesty's Government were fully prepared at once to carry out the provision of the Treaty of Tien-tsin which admits of the permanent residence of a British ambassador at Pekin; but the observations on this point which Lord Elgin has so ably laid before them, coupled with the fact that the French Government, on considering Baron Gros' reports, have arrived at the same conclusion, have determined Her Majesty's Government, for the present at least, to fix at Shanghae the residence of the British Mission, and only to require that it should be received occasionally at Pekin. But you will be careful to make the Chinese authorities at the capital and at Shanghae distinctly understand that Her Majesty's Government do not renounce the right of permanent residence, and, on the contrary, will instantly exercise it, if at any time difficulties are thrown in the way of communications between Her Majesty's Minister and the Central Government at Pekin, or any disposition shown to evade or defeat the objects of the Treaty.

Right of residence in Peking temporarily waived

Her Majesty's Government are prepared to expect that all the arts at which the Chinese are such adepts, will be put in practice to dissuade you from repairing to the capital, even for the purpose of exchanging the ratifications of the Treaty, but it will be your duty firmly, but temperately, to resist any propositions to that effect, and to admit of no excuses; but you will say that the effect of any persistence on the part of the Chinese Government in throwing obstacles in the way of your arrival at Pekin, and of the presentatior of your credentials to the Emperor in person, will be that Her Majesty's Government will insist on the literal fulfilment of the Treaty, and establish the Mission permanently at Pekin.

Mr. Bruce must go to Peking

*Chief Superintendent of British Trade [Ed. note].

You will probably find it advisable, before your departure from Shanghae to send an intimation to Pekin of your approach, and to request that suitable arrangements may be made for your honourable reception at the mouth of the Peiho, and at Tien-tsin, and for your journey from that place to Pekin. The Admiral in command of Her Majesty's naval forces in China has been directed to send up with you to the mouth of the Peiho a sufficient naval force, and unless any unforeseen circumstances should appear to make another arrangement more advisable, it would seem desirable that you should reach Tien-tsin in a British ship of war. . . .

To be accompanied by a naval force

You will, of course, refuse compliance with any ceremony, or form of reception, which can in any way be construed into an admission of inferiority on the part of Her Majesty in regard to the Emperor of China; and perhaps the best method of putting a stop to any attempt to impose upon you in this respect, will be that you should distinctly declare that you will withdraw at once, even from the Presence Chamber of the Sovereign, on the slightest appearance of a disposition to treat you, and the office that you hold, with disrespect. . . .

To demand audience as an equal

You will, moreover, take care that the treatment awarded to you is in no degree less honourable than that awarded to the Representative of any other Power whatever. That it should be consistent with European usages, it must doubtless be more honourable than that by which Embassies from countries over whose Chiefs the Emperor assumes superiority are received; but it must be in no degree inferior to that accorded to the Representatives of other Christian nations.

Although you will insist upon your being received at Pekin, and will refuse to exchange ratifications at any other place, and will further decline to make any compromise in regard to the time of your stay in the Chinese capital, or the frequency of your visits to it; Her Majesty's Government are willing to leave to your discretion the duration of your stay on the first occasion. Your primary object, after the exchange of the ratifications, will be to come to such an understanding with the Government as may ensure prompt attention being paid by proper authorities in the capital to any representations that you may see occasion to address to it; and you will particularly insist upon your right to employ messengers of your own, whether European or Chinese, for the conveyance of your communications, and upon due facilities for the performance of their journeys being secured for such messengers.

Your general language will be, that Her Majesty's Government are most anxious that the increased intercourse with the Chinese Empire, under the Treaty of Tien-tsin, may contribute to the mutual advantage of both countries; that it is

Her Majesty's firm intention, while scrupulously observing the engagements which she has herself contracted, to require on the part of the Emperor of China a corresponding observance of his own; that Her Majesty's officers in the different ports of China will be directed to prevent, as far as in them lies, any disturbance of the public peace, and any disorderly conduct on the part of British subjects; and that, on the other hand, Her Majesty expects that the Chinese authorities, both at the ports and in the interior of the country, will be required to act up to the Treaty obligations contracted by their Sovereign, and to treat with kindness and consideration the subjects of Her Majesty who may be brought in contact with them. . . .

On June 24, 1859, Mr. John E. Ward, who had been appointed to succeed Mr. Reed as envoy-extraordinary and minister plenipotentiary, and to carry out the exchange of ratifications of the treaty of 1858, wished to learn whether Americans would be allowed to pass up the river to Tientsin. On a small steamer, the *Toeywan*, he approached the Taku Forts; the tide receded while he was near the bank of the river, and there was danger of his boat capsizing and sinking. The English Admiral, Sir James Hope, sent two gunboats to aid Commodore Tattnall, who was commanding the *Toeywan*. On the next day occurred the unsuccessful attack of the English on the forts and the repulse. Commodore Tatnall reports to the Secretary of the American Navy Department:

**189. The repulse at Taku—Commodore Tattnall's account**

The fire of the Chinese was directed with fatal skill, and was chiefly concentrated on the [(English)] admiral and the vessels nearest to him. His flag-vessel being disabled and her crew cut up, he shifted his flag to a second, and, on her meeting the fate of the first, he again shifted it to the Cormorant, one of the larger (despatch) steamers. Here again the fire was concentrated on the flag of the gallant admiral.

By this time, 4 P. M., several of his vessels had been sunk, and it was evident to me that nothing could enable him to extricate himself and retire from the hopeless conflict but the reserve of boats and men at the junks; but at the time the tide was running too strong for the crowded boats to stem.

The officer in charge of these boats now visited me. He said nothing of aid, but his silent appeal was powerful

indeed. In the few moments he was on board he would look anxiously, alternately at his Admiral and at the boats.

The "blood is thicker than water" incident

After he left I held a consultation with Mr. Ward, and he agreed with me perfectly that, under all the circumstances of our position with the English, and the aid the admiral had tendered me the day before, I could do no less than to tow the boats to his relief.

I made the offer, which was thankfully and promptly accepted.*

While the boats were making fast to hawsers, which I veered astern, I insisted on Mr. Ward and his suite leaving the Toey-wan and going on board one of the junks, for reasons that will be obvious.

He at first reluctantly yielded, and left us, but soon returned in one of the English boats, declaring that, as the Toey-wan was his home, and was going under fire with his approbation and concurrence, he would remain in her. I reluctantly yielded to his gallant impulse.

At this time a young British officer came to me from the vessels engaged, to say that the gallant Admiral was dangerously wounded, and had but six men left. He (the officer) had two boats sunk in reaching me.

I towed the boats through the British line to within a short distance of the admiral, whose flag was flying on the Cormorant, when casting them off, I retired to the rear of the line, near the French gunboat, and anchored for the night.

I took up this position as it might enable me to aid the wounded, and should boats be sunk, to rescue their crews.

After anchoring I thought of the Admiral, and of his chivalrous kindness to me the day before, which, from an unwillingness to intrude on him when he was preparing for action, I had in no way yet acknowledged.

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* " . . . I cannot end without referring to one matter that, in connection with this battle, should be ever remembered. Were we children of the same mother, we could not have received more sympathy and kindness than we met with from the Americans. Never were men more unwillingly neutral. As we passed in to the assault Flag Officer (*Anglicè*, Admiral) Tutnell (Tattnall) was heard to say, 'Blood is thicker than water,' and in 100 different ways he and all his people, to the very cabin boys, acted up to this homely proverb." Letter of "An Eye-witness" to the *Times*, Sept. 16, 1859. "Whatever may be the result of the fight, England will never forget the day when the deeds and words of kindly Americans sustained and comforted her stricken warriors on the waters of the Peiho." Leader, *ibid.*

I therefore, with my Flag Lieutenant, Mr. Trenchard, went in my barge to visit him. When within a few feet of the Cormorant a round shot struck the boat, killed my coxswain, and slightly bruised my Flag Lieutenant. We fortunately reached the Cormorant before the boat entirely filled.

I found the Admiral lying on his quarter deck badly wounded. I informed him that I had called to pay him my respects and to express my regret at his condition. After remaining on board the Cormorant about ten minutes, I took advantage of an English boat that was passing to return to the Toey-wan.

At the time of the repulse of the British at Taku, Mr. Parkes was acting as commissioner at Canton. His comments on the gravity of the situation in a letter to a relative are of interest in the light of his own part in later complications.

190. Mr. Parkes's comments on the defeat

. . . The defeat could scarcely have been more complete. Four hundred and sixty-four English* and fourteen French *hors de combat*, out of a total of 1300 engaged; three vessels sunk and many more disabled; and worst of all, the gulf abandoned and everything at a standstill until reinforcements arrive from England, or India by orders from England. Thus we are just at the point we had arrived at in the spring of 1857.

Poor Admiral Hope is much to be pitied. His dispositions, I fear, will be mercilessly condemned, and in the face of a European enemy deservedly so; but he did no more than act upon all past experience. Never have the Chinese fired so well before. In truth, as we had only nine gunboats which have only one long gun apiece, and the forts numbered some eighty or ninety pieces, we had only one gun to their ten, and those ten well served. Apparently to retrieve the repulse of the gunboats, the men were landed to storm, to do what the fire of the gunboats could not effect; but, sad to say, they were landed in *mud*, which they found a worse enemy than the dreadful fire. Many, no doubt, were drowned or smothered. The attempt to regain the boats in the dark night must have been a sad scene. In one case some score of wounded had been conveyed with infinite labour across the mud and out into a boat, when a round shot passing through the latter made her into a coffin for the living freight she had received.

*But cf. Morse's *International Relations of the Chinese Empire*, Vol. I, p. 579.

The way in which an event strikes a contemporary observer is often different from the way in which it is judged years later. The contemporary is able to judge what he sees by what has gone before; the historian is able to judge the event by its results as well.

The two selections that follow illustrate this. The first is by Mr. Martin, one of the American interpreters for Mr. Reed. The second is the judicious summarization and conclusion of Mr. H. B. Morse, who wrote fifty years later. Not being nationals of a country participating in the events referred to, both writers are able to present an unprejudiced judgment.

191. Mr. Martin's allocation of blame for renewal of hostilities.

The war was rekindled, and the Chinese were accused of bringing it about by treachery. But were they wrong in barring the way to a city that was not opened by treaty? Had the allied ministers a right to expect to reach Tientsin in their steamers when they had neglected to secure it by stipulation? Not only were they aggressors in firing the first shot, they were clearly wrong in the whole issue.

It was evident that the war had to be fought out, that things could not remain as Lord Elign had left them; but it is a thousand pities that the occasion for unchaining England's thunder should be . . . the assertion of a privilege which the negotiators had forgotten to secure. The renewal of the war was the only way to permanent peace, and there is reason to believe that the Mongol prince and his party intended to bring on a conflict; but it grieves one to see the more enlightened party so continually in the wrong. What estimate will a Chinese statesman on such a retrospect form of the morality of England?

The summarization and judgment of Mr. Morse presents the point of view of fifty years after.

192. Mr. Morse's judgment on the Chinese and English positions

China had thrown down the gauntlet. Her officials must, however, be acquitted of the charge of treachery so often brought against them for their action on this occasion; they had given notice that passage up the Peiho would not be allowed, the obstructions blocking the passage were plainly visible, armed forts guarded the obstructions, and resistance by force must have been expected. They acted, however, in a peculiarly Chinese way, which should have deceived no

one for a moment, and which shows a certain childlike astuteness, in having no responsible officials on the spot, and in attempting to make the outbreak appear to be the spontaneous act of the aroused and angry people, which could be disavowed if unsuccessful, while the advantages could be accepted if successful. Credat Judaeus Apella that so important an act, in preparation for so long a time, and based on an Imperial fortress, should not have had the full support of the government from the emperor down. In fact, what had happened was what has happened at the close of every contention between China and a foreign power—that, after the government as a whole had been dealt with, the war party, irreconcilable and refusing to accept the arbitrament of war as final, has still to be dealt with. The treaty ending the war has, on each occasion, been merely a step towards the ultimate settlement—the basis for further discussion, as exemplified in Kweiliang's plea that the treaties of 1858 had been "extorted under military pressure." In the British treaty so extorted were three stipulations particularly obnoxious to the court of Peking—the residence of foreign envoys in the capital, the opening of the Yangtze to foreign trade, and the right to buy Chinese produce in the interior—and all that preceded the rupture at Taku goes to show that the Chinese government was resolved to reopen the discussion on these three points before the exchange of ratifications of the one treaty, the British, which provided for them. . . .

Mr. Bruce's difficult position

Mr. Bruce was in a position of great difficulty. The Chinese ratification to the treaty had been obtained, and only after its exhibition was the military pressure removed by Lord Elgin, and all that remained to be done was to obtain the British ratification, whereupon the exchange of the two should have been a purely automatic proceeding. When, therefore, the Chinese plenipotentiaries took steps tending to reopen negotiation on certain stipulations of the treaty, Mr. Bruce was quite within his right in refusing to consider any questions prior to the exchange, by which act the treaty would become operative. He was assured by the plenipotentiaries at Shanghai that, when he proceeded north, he would be suitably received at Peking; he was not informed that the Taku route was barred, though that must have been known to them, and was only requested to leave his naval force outside. After coming to Taku and finding the passage blocked, the request that he should land at Peitang and proceed to Peking from that point, leaving Tientsin to one side, was received by him at 9 A. M. on June 25th. Had the request been one to solve all difficulties, and had he been desirous of acceding to it, he was on the big ships

outside the bar, eight or nine miles distant from Admiral Hope, who was superintending the preparations for the attack, which was to begin at 10 A. M., and could hardly be able to modify his previous decision to force a passage. In fact, however, he was precluded by his instructions from going by way of Peitang; they clearly prescribed the procedure "at the mouth of the Peiho, at Tientsin, and for your journey from that place to Peking," and further informed him that the admiral was "directed to send up with you to the mouth of the Peiho a sufficient naval force," and declared it advisable that he should reach Tientsin in a British ship of war. The cabinet had in fact foreseen the possibility of a collision, at Taku or elsewhere, and had instructed him "firmly but temperately to resist any propositions" designed to prevent him proceeding to Peking. The only question regarding Mr. Bruce's conduct is whether he was right in ordering the operations which resulted in so unexpected a blow to English prestige. He and Admiral Hope had committed the same fault as Sir J. Bowring and Admiral Seymour in October 1856, at Canton, in underestimating their enemy; they had advanced, only to be compelled to withdraw; and the confidence of the Chinese court was thereby greatly increased. But no other course was open to them. They had at their disposal a force not much smaller than that of Lord Elgin and Baron Gros, and to have withdrawn before difficulties no greater than had confronted their predecessors, without even making an attempt to overcome them, would have been a line of conduct not to be expected from any servant of the state, whether in diplomacy or in its armed forces. Even had Mr. Bruce withdrawn before the menace, he would only have increased his diplomatic difficulty, apart from the additional confidence to be given to the Chinese. Further war was necessary before China could be brought to understand the situation; as it was, it would be fought on the questions of the insult to the flag and to an envoy, and on "the treaty, the whole treaty, and nothing but the treaty"; without the action of the Taku forts, the question would have been narrowed to the three stipulations to which the Chinese especially objected, and on which they occupied at least discussable ground.

Could Mr. Bruce have done otherwise?

To exchange the ratifications of the American treaty of 1858, Mr. Ward went to Peking in 1859 by way of Peitang instead of through Tientsin from the mouth of the Pei-ho. Mr. Ward desired an imperial audience, but refused to kotow; he was then told to leave Peking for

Peitang, where the exchange of ratifications would take place. This he did; his conduct throughout was dignified and satisfactory to the American government. The ratifications were exchanged on August 15.

Mr. Lane-Poole justifies the attitude of the English in the light of the treatment of the American mission.

193. Treatment of American Ratification Mission

. . . The American mission was treated exactly like 'tribute-bearers' from Lewchew: compelled to journey to the Peiho in rough springless country carts, which tortured every nerve in the body; shut up in a yamun at Peking, and forbidden to stir a step outside, or to see a soul beyond their prison-house. The Chinese Commissioners appointed to negotiate disdained to sit at the same table with the unfortunate Americans, and when they spoke of an audience with the Emperor, the *kotow* or prostration as before a deity, was declared to be absolutely indispensable. Though they had eaten a fair amount of dirt, their sturdy republican knees would not bend to this; and so they returned, without an audience, to Peh-tang, where they finally consented to exchange the ratifications of their Treaty. So much for the policy of conciliation. As Wade (who was Chinese secretary to Mr. Bruce's Legation) remarked, 'Ward's return quite clears *our* chief.' A singular piece of evidence as to the Chinese view of the American mission was discovered a year later. During his captivity in Peking, Parkes noticed a label pasted on a chair in his room: the inscription stated that the chair had been returned to the Government store after having been supplied for the use of 'the American *tribute-bearer* Ward.' . . . Of course, to have accepted the humble attitude of Mr. Ward would have been to give up all that the Treaty aimed at securing, to renounce our claim of equality, and to have reverted to the old position of the East India Company. If we went to Peking at all, it must be as a sovereign Power to a Sovereign Power. Mr. Bruce was perfectly right, and the Ministers at home, whose instructions he had obeyed, could do nothing less than support him.

Mr. Ward refuses to kotow

The American "tribute-bearer"

When the Yuen Ming Yuen palace was taken in October, 1860, an imperial rescript referring to the request of Mr. Ward for an audience was found.

194. Rescript on audience question

We have this day perused the reply of the American barbarians to the communication of Kwei-liang and his colleagues.

YUEN MING YUEN PALACE

(It shows that), in the matter of their presentation at Court, nothing more can be done to bring them to reason. Besides, these barbarians, by their averment that their respect for His Majesty the Emperor is the same that they feel for their Pih-li-si-tien-teh (President), just place China on a par with the barbarians of the South and East, an arrogation of greatness which is simply ridiculous.

The proposition of yesterday, that they should have an interview with the Princes, need not either be entertained.

After it became clear that the difference of opinion between Mr. Ward and the imperial ministers over the kotow question could not be solved, the emperor issued this rescript:

195. Rescript on the ratification of the American treaty

Let the letter which the American Envoy has brought be taken, and let Kweiliang and Hwashana be specially appointed to receive it for transmission to Ourself. In regard to the exchange of the treaty, it would be proper indeed to return to Shanghai to do it, but when We reflect that the Envoy has already come over the seas for this purpose, we now specially direct that the Great Seal be affixed to the treaty, and it be delivered to Hangfuh, the Governor-general, and let him exchange the ratifications with the American Minister at Pehtang. After this has been done let lasting friendship and commerce continue between the two nations. This will show

forth our great regard and kindness to people from afar, and clearly exhibit the deep respect we entertain for truth and justice. This from the Emperor.

### *Section 33. War and Peace, 1860*

Upon hearing of the breaking of the peace at Taku, the British and French governments again sent Lord Elgin and Baron Gros, respectively, as their ambassadors. They reached Hongkong on June 21, 1860, and shortly proceeded to the north. Lord Elgin, in need of an able interpreter and assistant, called Mr. Harry Parkes from his position of commissioner in Canton. Mr. Parkes found a different type of war being carried on in the north from what he had grown accustomed to around Canton.

196. Difficulties of the campaign of 1860

I see war now made in a different way to that which I have before witnessed. Every place that we have hitherto taken in China has been carried by assault, and a single day has always sufficed to see an operation commenced and finished. But I must allow that the work now before us involves a different mode of proceeding. The fortifications are very extensive and very heavily armed, and in a skirmish which we have had this morning we have proved that our light artillery and even the Armstrong guns (which are meant to act upon masses of men and not upon walls) are not sufficient to silence the far heavier metal of the forts.

The peculiar condition of affairs remarked on during the First War was noticeable during the Second War: while one section of the empire warred with the Western nations, another section carried on peaceful and lucrative trade. This was permitted by the English as well as by the Chinese government.

197. Order in Council, March 7, 1860

And it is further Ordered, that, notwithstanding the existence of hostilities between Her Majesty and her august Ally on the one hand, and the Emperor of China on the other hand, and during the continuance thereof, all and every the subjects of Her Majesty and of her august Ally the Emperor

of the French, shall and may, during such hostilities, freely trade at and with all ports and places wheresoever situate in the dominions of China, and also with all persons whomsoever, as well subjects of the Emperor of China as others residing or trading within any part of the dominions of the said Emperor.

The military operations of the allies were delayed by lack of preparation and supplies on the part of the French, and a fondness for diplomacy rather than direct action on the part of Lord Elgin. The Manchus played on Lord Elgin's readiness to use peaceful measures, and prepared an ambush of the allied forces, and the capture of several important prisoners. Mr. Parkes, in personal letters and official reports, left an account of his imprisonment, which lasted from September 18 to October 8. Altogether twenty-six British and thirteen French prisoners were taken; of these only half of the English and five of the French were returned alive when the allies approached Peking.

**198. Mr. Parkes's description of his capture and imprisonment**

On the 17th September I was sent from the camp at Ho-si-wu into Tung-chow, twenty-five miles distant, with a flag of truce, to notify to the Imperial Commissioners (the Prince of I and Muh-yin) Lord Elgin's acceptance of the terms they had themselves proposed at a previous meeting on the 14th between said Commissioners on the one part and Wade and myself on the other. I now believe that making those proposals, they either wished or were instructed to modify them, and the famous Sangkolinsin was directed to try the issue of another engagement. This, however, they kept secret from me; and though they met me at first with a variety of objections, which were not encouraging, still I succeeded (as it appeared to me) after a long interview in overruling these, and they worked away with me (with apparent goodwill) in making those arrangements upon which peace or cessation of hostilities depended. Thus they appointed one set of officers, to mark out with me the ground that our troops (expected the following day) were to take up; other officers to manage matters of supply; the publication of a peace proclamation was commenced; and carts for the transport of Lord Elgin's baggage were ordered. All this on the 17th.

The ambush

At daylight on the 18th I went with said officers to the place of encampment (five miles from Tung-chow), and was surprised to find it occupied by a considerable force of Chinese troops, while other bodies could be seen approaching from other directions. Failing to get any explanation from the officers who commanded these troops, and fearing that our advanced column might come up at any moment, in which case a collision would have been inevitable, I despatched Loch (Lord Elgin's private secretary) to General Grant with the intelligence, begging him to halt his column, until I could bring him an explanation of this unexpected state of things. I then galloped back to Tung-chow, first, to look out for the Commissioners and see if they would immediately direct the withdrawal of these troops, and failing this, then secondly, to get my party out of the place as quickly as possible, that I might be on the right side of the hedge when the engagement began: said party consisted of about fifteen sowars (native cavalry), Mr de Norman of the Legation, Mr Bowlby (*Times* correspondent), and Lieutenant Anderson who commanded the escort. On returning to Tung-chow I found all the gentlemen out; I despatched messengers in quest of them, warned the sowars to be ready to start at a moment's notice, and with a couple of them went in search of the Commissioners. It was a long time before I found them:—no one would tell me where they were. They told me that they would not withdraw the troops, and in such a tone that I soon saw that the sooner I withdrew myself from them the better, as they were surrounded by a host of men whose manner was very different to that of previous occasions. I made them give me, however, categorical replies to two categorical questions, which to prevent mistake I took down before them in writing, and then, wishing them a very good morning, hoped I had seen the last of them for a little time, as I could see a fight had been determined on.

Lane-Poole's explanation of the questions addressed to the commissioners

[These replies were: (1) that the Imperial Commissioners would *not* direct the troops to retire, because (2) the peace had *not* been determined on, in consequence of the audience question remaining still unsettled. When Parkes repeated that he could only refer this question to Lord Elgin, they said, 'You can do much more if you like. You can settle the point at once yourself; but you won't.' It is evident that the Commissioners looked upon Parkes as the chief voice in the negotiations and did not believe him when he asserted Lord Elgin's supreme power of decision. Nothing remained but to make good his retreat:—]

Letter

Got back to my party, who were three miles off, and had been rejoined by Loch with an urgent message from the General desiring me to come out as soon as possible, as the

enemy were on both his flanks and were threatening his baggage, thus rendering it difficult to delay engaging them. We had a good six miles to go, and the whole Chinese army (since estimated at many thousand men) between us and our people; but I relied upon our flag of truce carrying us through, if we could only get out before the battle began. We rode hard and had only about half a mile more to go to place us in safety, when we got amongst the masses of the Chinese troops. Boom! Boom! went a line of guns in their front, which showed that the action had commenced. We held on our way, but as soon as (we) were discovered, horsemen filed off to the right and left of us, and meeting in front, stopped our way. Riding ahead, I called on their officers to allow me and my flag of truce to pass out, but they refused to do this without the order of their General or some superior officer. As the latter did not appear I with Loch and one sowar with white flag left the party, and rode to the spot where he was said to be. I then after passing through some (tall millet cane) found myself in the presence of a body of matchlock-men, who levelled their pieces and would have fired, had not an officer, who galloped up simultaneously, persuaded them to desist. In quicker time than it takes me to write, we were surrounded by them, and when I called out for the officer I wanted to see, I was pointed to a fat fellow on horseback some distance off on the other side of a creek, and told to dismount and cross over to him.

I now saw that I must be prepared for foul play, but resistance with only three of us (two of us without swords) being useless, my only hope (and I confess it was a faint one) rested on my flag; and I dismounted and endeavoured to cross the creek to the said officer. While doing so, a greater man appeared, even Sangkolinsin himself, the Chinese Commander-in-chief; and as he had sent in flags of truce to us on various occasions, I hoped that he would respect mine, and for a moment I felt it was well to be taken before a man of such high rank. But the illusion was soon dispelled, for as I approached I was seized by his attendants and hurled down before him, because I had not instantly obeyed their order to kneel. Loch and the sowar (a Sikh) as they were brought up were treated in the same way.

Report

The moment the Prince gave me an opportunity of speaking to him, which he did by asking me my name, I at once clearly informed him who I was, and of the whole character of my mission to Tung-chow, adding that I was returning to my Ambassador when I was stopped by his troops. I was proceeding with a remonstrance against the treatment I was receiving, when the Prince interrupted me by saying—

'Why did you not agree yesterday to settle the Audience question?'

'Because I was not empowered to do so,' I replied.

Parkes held responsible for British policy and actions

The Prince then continued in a very forbidding tone—

'Listen! You can talk reason: you have gained two victories to our one. Twice you have dared to take the Peiho forts; why does not that content you? And now you presume to give out that you will attack any force that stops your march on Tung-chow. I am now doing that. You say that you do not direct these military movements; but I know your name, and that you instigate all the evils that your people commit. You have also used bold language in the presence of the Prince of I, and it is time that foreigners should be taught respect for Chinese nobles and ministers.'

I endeavoured to explain the mistakes of the Prince; told him distinctly what my functions were; that I had come to Tung-chow by express agreement with the Imperial Commissioners, and solely in the interests of peace; and I again begged him to show the same respect to an English flag of truce that we had always paid to those so repeatedly sent in by the Chinese. The Prince, however, simply laughed at all this, and, going to a house that was close by, directed the soldiers to bring me after him. On arriving at the house I was again thrown on my knees before him, and the Prince . . . said—

'Write to your people and tell them to stop the attack.'

'It would be useless for me to do so,' I replied, 'as I cannot control or influence military movements in any way. I will not deceive your Highness by leading you to suppose that anything I might write would have such an effect.'

'I see you continue obstinate,' he said, 'and that you will be of no use to me.'

Letter

His suite came round and joined in taunting me, and made remarks which indicated very plainly the treachery they had practised, and their own exultation at finding that our army had fallen (as they thought) into their snare. In a few minutes the three of us were put into a cart with two Frenchmen (who turned up as prisoners also at the same moment) and sent away to the Prince of I. . . . Until you have tried it, you can form no idea of the pain and anguish of this conveyance when it goes along a paved road. The Prince of I could not be found, so we were taken to another notable, and again hurled on our knees. Feigning faintness (to avoid useless questions) I was removed into the air, and the three of us were surrounded as before by a throng of brutal and excited soldiery, taken thence to a house, searched, then brought before another mandarin, an officer on the Prince of I's suite, again made to kneel and again examined

(buffeted and kicked). While the examination was going on, he suddenly rose and went out, and immediately afterwards a number of soldiers with drawn swords rushed in, bound us, and carried us away, as I really feared, to execution. I cannot stay to dwell on these moments of horror, although prayer came to my relief. But instead of being murdered, we were again (all five) put into a cart and started off, as we soon found, to Peking. I could now see that the camp to which we had been brought was being broken up, and was in full retreat, in consequence doubtless of our having gained some advantage in the engagement. The soldiers however were savage in consequence of their defeat, and called out that they would revenge the deaths of their comrades on us. The journey (which lasted five hours) gave us dreadful suffering. . . .

It was sunset before we reached the east gate of Peking, and 8 P.M. before our cart halted in a court of which it was then too dark to see anything. Lanterns were produced and again I shuddered, as I found that we were in the hands of the Board of Punishments, who may be classed with the officers of the Bastille or the Inquisition of Spain. Soon we were loaded with chains and carried before these inquisitors, who after a short examination ordered us to imprisonment in the common prisons, each prisoner to be confined in a separate prison, but among sixty or seventy of their own wretched felons.

One of the most difficult obstacles to be overcome by the Western powers in their dealings with nineteenth-century China was that of the relationship of the central to the provincial government. The case of Commissioner Yeh formed a good example: the imperial government insisted that intercourse with foreigners should be carried on at Canton, but Yeh, as we have seen, resolutely refused to carry on intercourse. At times certain governors or viceroys would refer a matter to Peking and Peking would refer the question back to the provincial officials. Mr. H. B. Loch dwelt upon this problem in his diary.

9a. Lord Elgin's policy as to Chinese official responsibility

From the time Lord Elgin first went to China in 1857, it was his policy to teach the Imperial Government their responsibility . . . by ignoring the Governors-General of those provinces in which the difficulties which had resulted in war, had just commenced, and making it apparent to the Emperor and his ministers that they were held to be responsible for

the acts of their subordinates, he established a principle which, when properly enforced, will do much to lessen in future the danger of similar difficulties occurring, and which on two occasions have involved this country in expensive wars.

The general question referred to above had a very definite and personal application in the case of the taking of Mr. Parkes and the other English and French as prisoners when they were traveling under a flag of truce. Lord Elgin determined that those who were really responsible for the treachery should be the ones to suffer for their crimes. He wrote:

200. Elgin's reason for burning Yuen Ming Yuen

. . . In the more secret councils of the Imperial Court it would have been argued that the arrest of the prisoners had been a successful measure, as it had in some degree at least paralysed our movements, and gratified the resentment of the Emperor, without entailing any specific penalty. Low as is the standard of morals which now obtains in China on such points, we should in my opinion have still further lowered it if we had not treated the act in question as a high crime calling for severe retribution.

Writing from the "British Embassy" in Peking, on October 27, Mr. Parkes expresses his ideas, which were those of many, on the punishment to be meted out to the emperor for his responsibility.

201. Mr. Parkes's reasons for agreeing with Lord Elgin

On the 13th, as I told you, a gate of the city was placed in our hands, which gave us of course a great command over the place and would have terminated hostilities had it not been that the treatment of our prisoners was too atrocious to be passed (over) without exemplary punishment. But the difficulty was to know what punishment to inflict. Some advocated a heavy indemnity; others the burning of Peking; others the destruction of the Imperial Palace in the city. I think Lord Elgin came to the right decision in determining to raze to the ground all the palaces of Yuen Ming Yuen, the Emperor's Summer Palace, five miles outside Peking, where the Emperor and whole Court have lately spent two-thirds of their time, and where our poor countrymen were taken in the first instance and put to torture by direction of the Court itself. The allied troops had already plundered these palaces,

or several of them, and some said that it was an ignoble sort of revenge on that account; but there appeared to be no other choice than the destruction of the palace within the city (which had not been looted), and considering that Yuen Ming Yuen was the scene of the atrocities committed on our countrymen, I consider that it was the proper one of the two to make a monumental ruin of. To have burnt Peking would have been simply wicked, as the *people* of the city, who would in that case be the sufferers, had done us no harm. At Yuen Ming Yuen we could only injure the Court.'

Lord Elgin's secretary on his second mission was Henry Brougham Loch. Mr. Loch was a companion of Mr. Parkes in the imprisonment before described, and was returned at the time that Parkes was. Mr. Loch later wrote a valuable account of Lord Elgin's second mission; in this he discusses the destruction of the imperial palace.

202. Yuen Ming Yuen and its destruction

After anxious deliberation, Lord Elgin decided to request the Commander-in-chief to take the requisite steps for the destruction of the Emperor's palace of Yuen-Ming-Yuen. He considered it necessary to mark in a manner that could not soon be forgotten the punishment awarded for an act of treachery so gross as that which had characterised the Emperor's policy, and that had resulted in the murder of so many officers and men. The implication of the Emperor and the Chinese Government in the treatment of the prisoners was proved by de Norman and the others having been taken in the first instance to Yuen-Ming-Yuen, and that there had commenced the ill-usage which resulted in their deaths. Several articles of their clothing were found in the room adjoining the Hall of Audience, and nearly all our horses and saddles were recovered from the Royal stables. But while Lord Elgin was desirous of making the punishment to be inflicted apparent to the whole Chinese Empire, and one which could not be glossed over or concealed, it was his anxious wish to make it fall only on the Emperor who had been acquainted with, and was responsible for the commission of the crime.

It may be urged that it was a ruthless act to destroy so much that was rare, beautiful, and valuable; but wonderful as was the extent of the palace, or, more correctly speaking, palaces and gardens,—for there were, it was estimated, upwards of two hundred buildings, and the grounds covered an area of eight by ten miles in extent,—still there was no

utter annihilation of works of art or learning; for on good authority it was stated, that nothing unique either in the shape of books or manuscripts was kept at Yuen-Ming-Yuen, and in the subsequent search for both, previous to the burning, very few were found, and certainly none of any exclusive rarity.

The insecure position of the allies

Against the natural repugnance which must always exist in the mind of every educated person to the destruction of the beautiful, must be brought the consideration of the position in which the Allies were placed. Winter was rapidly approaching; the Commander-in-chief had already informed the Ambassadors that by an early date the armies would have to retire; the treacherous conduct of which the Government had been guilty was still fresh in the minds of all, Chinese and Europeans alike, and it was felt that if it was allowed to pass without some signal example being made, it would encourage the belief that similar acts could be perpetrated with impunity, and the position of the members of the future resident Embassy in Pekin might be thus endangered if the Imperial Government were not made aware that punishment would surely follow any act of treachery.

Reason for not collecting an indemnity

It was also felt that no money indemnity could compensate for the insult inflicted; and, moreover, if an indemnity had been enforced, that it would have fallen on the people and not on the Emperor or mandarin classes. It was also desirable in consequence of the early withdrawal of the armies, rendered necessary by the advance of winter, to mark in some way which would place it beyond all dispute, that the Allies had occupied Pekin as conquerors, otherwise the Imperial Government would be apt to deny the fact, and assert that the Allies had been forced to retire by the Imperial army.

To prevent any misconstruction being placed on his motives, and to prove to the Chinese that the Allies did not war with the people, but only with those whose bad faith had already caused so much suffering and bloodshed, Lord Elgin addressed a communication to Prince Kung acquainting him with his decision; and likewise published a proclamation in Chinese, copies of which were affixed on all the buildings and walls in the neighbourhood of the Allied camps and Yuen-Ming-Yuen, to the effect, "That no individual, however exalted, could escape from the responsibility and punishment which must always follow the commission of acts of falsehood and deceit; that Yuen-Ming-Yuen would be burnt on the 18th, as a punishment inflicted on the Emperor for the violation of his word, and the act of treachery to a flag of truce; that as the people were not concerned in these acts no harm would befall them, but the Imperial Government alone would be held responsible."

The Palace and its gardens

On the morning of Thursday the 18th, Sir John Mitchell moved with his division to Yuen-Ming-Yuen. The buildings in themselves possessed but little architectural beauty; they were nearly all isolated from each other, being connected by gardens, courts, and terraces. The most striking amongst them were those near the Hall of Audience. The largest of these were connected by courtyards, passing through which were entered spacious reception rooms that opened into gardens of considerable extent, which lead down to a marble terrace stretching along the shores of a lake some three miles in length. Bordering the terrace for a mile or a mile and a half, and opening on to it, were other gardens and buildings,—these were summer houses and the residences where the Emperor lodged his most distinguished guests. The balustrade, like the terrace, was of white marble, and in places curiously carved. On this stood at intervals of some twenty or thirty yards, beautiful blue inlaid enamel vases with imitation flowers, made of the blood, cornelian, jade, and other valuable stones. The houses were built for hot rather than cold weather, as was apparent from the size of the doors and windows.

There were magnificent bronzes in different parts of the gardens, larger than life, of lions and other animals, but there was one of exceptional beauty of a cow lying down, the workmanship and design of which were very fine. Fortunately all these bronzes were too far from any of the buildings to be injured by fire; indeed, only portions of the buildings themselves were burnt, and although the destruction, from the volumes of smoke, appeared immense, still a great portion escaped, as well as nearly all the valuable enamels, of which there were large quantities in some of the houses.

Prize money

The money found in the Treasury was of no great amount; it was taken possession of by the prize agents for distribution amongst the troops; and all officers and men who had taken any property previous to the 18th from Yuen-Ming-Yuen had to hand it over to officers appointed to receive the same; it was all subsequently sold at public auction, the proceeds going to the general fund for distribution to the army. Sir Hope Grant ordered the prize-money to be divided amongst the officers and men at once, thus saving delay, and the necessity for provision being made by the military train for the conveyance of the treasure to Taku.

During the whole of Friday the 19th, Yuen-Ming-Yuen was still burning; the clouds of smoke, driven by the wind, hung like a vast black pall over Pekin.

On the morning of Saturday the 20th, Lord Elgin received Prince Kung's absolute submission to all the demands of the Allies, and the Prince requested that an early day should be named for the signature of the Convention and

exchange of the Ratifications of the Treaty of Tien-tsin.

That the destruction of Yuen Ming Yuen was considered to be an act of justice and an attempt to punish where punishment was due, and not merely a gust of angry passion or a desire for plunder, and that real regret was felt by many at the act even at the time it was committed is shown by an excerpt from an account given by the Rev. R. Th. M'Ghee, a Chaplain in the British forces.

203. A chaplain's regretful approval of the destruction of Yuen Ming Yuen

Yes, a good work, I repeat it, though I write it with regret, with sorrow; stern and dire was the need that a blow should be struck which should be felt at the very heart's core of the Government of China, and it was done. It was a sacrifice of all that was most ancient and most beautiful, but it was offered to the manes of the true, the honest, and the valiant, and it was not too costly, oh, no! one of such lives was worth it all. It is gone, but I do not know how to tear myself from it. I love to linger over the recollection and to picture to myself, but I cannot make you see it. A man must be a poet, a painter, an historian, a virtuoso, a Chinese scholar, and I don't know how many other things besides, to give you even an idea of it, and I am not an approach to any one of them. But whenever I think of beauty and taste, of skill and antiquity, while I live, I shall see before my mind's eye some scene from those grounds, those palaces, and ever regret the stern but just necessity which laid them in ashes.

Reference has been previously made to the part taken by the Russian envoy, Count Poutiatine, in the campaign of 1858. In 1860, General Ignatieff was Russian plenipotentiary. Although his country was not taking any part in the military operations, his government was by no means quiescent. Every development was watched. Russia had her own aims and ambitions, and when the proper time came—

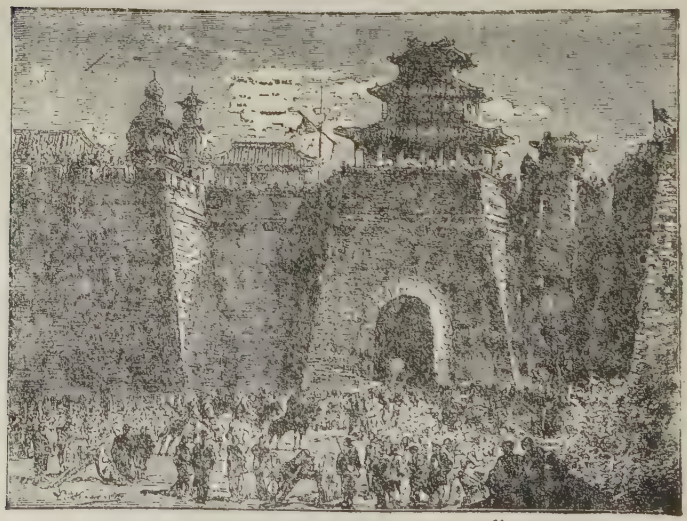
204. General Ignatieff's part in the peace negotiations

. . . General Ignatieff entered Pekin in the first week of October with a *suite* of 14 Cossacks and alighted at the Rus-

sian Embassy. All the high dignitaries immediately waited upon him. He explained to them that they must at once accede to all the demands of the Allies, to which they consented. . . .

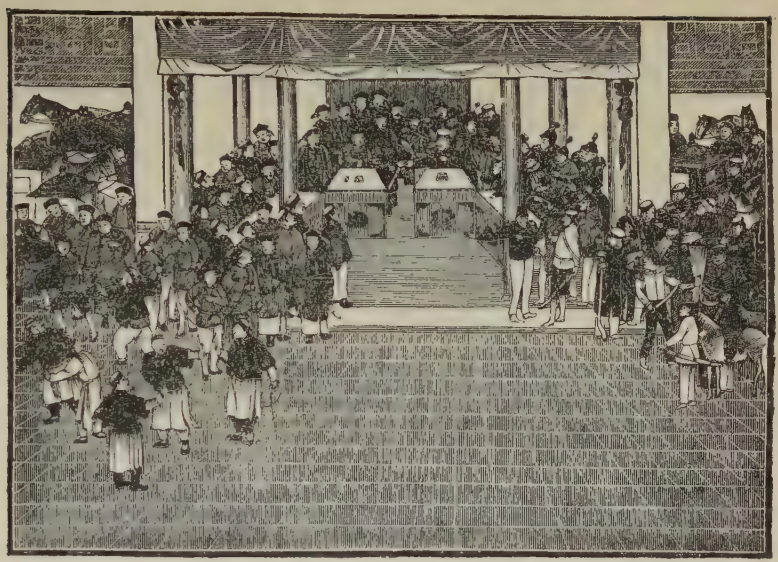
General Ignatieff explained to them that the barbarous treatment of the European prisoners was an infraction of the law of nations, and would call down upon them the vengeance of all Europe, even of Russia, despite the friendship of two centuries; and that to save China they must at once consent to every demand of the Allies.

At noon of the thirteenth of October, the Anting gate in the north wall of the Tartar city of Peking was surrendered to the English and French forces. On the eighteenth, Yuen Ming Yuen was fired. On the twenty-fourth, Lord Elgin proceeded with an armed guard to the Hall of Ceremonies where the long-deferred exchange of ratifications of the treaty of 1858 took place, and a new convention was signed. On the next day, Baron Gros went through a similar ceremony and also signed a convention. The two conventions were substantially the same. The English convention is given in part.



*"History of the World"*

A GATE OF PEKING



*Li Ung Bing's "Outlines of Chinese History"*

TREATY MAKING, PEKING

205. Convention of Peking, 1860

### Article I

The emperor's "regret"

A breach of friendly relations having been occasioned by the act of the garrison of Taku . . . the Emperor of China expresses his deep regret at the misunderstanding so occasioned.

### Article II

Minister in Peking

. . . Her Britannic Majesty's Representative will henceforward reside permanently, or occasionally, at Peking, as Her Britannic Majesty shall be pleased to decide.

### Article III

Indemnity

. . . The Emperor of China shall pay the sum of Eight Millions of Taels . . . (in lieu of Taels 4,000,000 according to the Separate Article of the Treaty of 1858) . . . Two Millions will be appropriated to the indemnification of the British Mercantile community at Canton for losses sustained by them, and the remaining Six Millions to the liquidation of war expenses.

### Article V

Emigration legalized

As soon as the Ratifications of the Treaty of one thousand eight hundred and fifty-eight shall have been exchanged, His

Imperial Majesty the Emperor of China, will, by decree, command the high authorities of every province to proclaim throughout their jurisdictions, that Chinese, choosing to take service in the British Colonies or other parts beyond sea, are at perfect liberty to enter into engagements with British Subjects for that purpose, and to ship themselves and their families on board any British vessel at any of the open ports of China. Also that the high authorities aforesaid, shall, in concert with Her Britannic Majesty's Representative in China, frame such regulations for the protection of Chinese emigrating as above, as the circumstances of the different open ports may demand.

ARTICLE VI

Cession of Kowloon

. . . The Emperor of China agrees to cede . . . that portion of the township of Cowloon, in the province of Kwang-tung. . . . The claims of any Chinese to property on the said portion of Cowloon shall be duly investigated by a mixed Commission of British and Chinese Officers and that compensation shall be awarded by the British Government to any Chinese whose claim shall be by the said Commission established, should his removal be deemed necessary by the British Government.

The unity of the drama of Anglo-Chinese relations is touched upon by Mr. Parkes in his concluding remarks on the Second War.

206. The "last scene in the drama"

The last scene in the drama took place on October 27th. The Embassy took up its quarters in the palace of the Prince of I—the author of the treachery—and the representative of the Queen was at last within the walls of Peking. The long struggle of twenty years had ended in victory. Half measures had been tried, and failed and tried again. At length the only step that could decide the issue for ever was taken, and what ought to have been done in 1842, what was obtained and then abandoned in 1858, had finally, after a treacherous tragedy, been accomplished.

The advice of General Ignatieff, the Russian plenipotentiary, to the imperial officials to make peace with the English and French, and his claim to influence them were used by the wily northerner as a means to win by diplomacy what his country coveted but did not think it

necessary to fight for. He claimed to have saved the dynasty by his advice to both parties to the conflict. In return for his "gift" the Manchus "rewarded" him, at his request, with the territory east of the Ussuri River. The ironical comments of a clever English writer state the condition well,

207. Russia's gains in 1860

. . . China's extremity was Russia's opportunity for showing the sincerity of her long unbroken friendship. The foreigners had come to possess themselves of the empire and destroy the dynasty. . . . In that terrible crisis no sacrifice would have been deemed by the imperial family too great to "get rid of the barbarians." Confirming their own worst fears as to the designs of the invaders, General Ignatieff revealed to them the only way of salvation. Nothing would arrest the schemes of the Allies but the intervention of a strong Power friendly to China. He had it in his power to make such representations to Baron Gros and Lord Elgin as would induce them to withdraw their troops. This essential service he offered to the Chinese for a nominal consideration. Only a rectification of frontier by inclusion of a sterile region inhabited by robbers and infested by tigers, where no mandarin could make a living, fit only for a penal settlement, with a rugged seacoast where no Chinese sail was ever seen. Prince Kung jumped at the providential offer of deliverance, and so that great province called Primorsk, with its 600 miles of coast-line, which gave to Russia the dominion of the East—"Vladivostock"—was signed away by the panic-stricken rulers of China. A year later this transaction cropped up in conversation over the teacups, after the business of the day had been disposed of, between Prince Kung and a certain foreign diplomatist, who remarked that there was never the remotest intention on the part of the Allies of keeping a single soldier in China after the treaty was made. The Prince looked aghast, then said solemnly, "Do you mean to say we have been deceived?" "Utterly", replied the other; and then the dejection of the Prince was such as the foreigner, who lived to enjoy a twenty-years' acquaintance with him, declared he never saw in his or any other Chinese countenance. Thus General Ignatieff, without any force, in the vulgar sense, of his own, was adroit enough and bold enough to wield the forces of his belligerent neighbours so as to carry off the only solid fruit by the war,* while fulfilling the obligations of friendship for

* The cession in perpetuity to Great Britain of Kowloon point near Hongkong seems to have slipped Mr. Michie's mind at this time [Ed. note].

China and denouncing her spoilers. . . . He made his treaty, and departed during the winter by the back door, across Mongolia. . . .

The winter of 1860 left the statesmen of China some food for reflection. The thundering legions had passed like a tornado which leaves a great calm behind it. The "still small voice" had also departed with a province in his *chemadán*, gained without a shot or even a shout. Two strongly contrasted foreign types had thus been simultaneously presented to the astonished Chinese. Can it be doubted which left the deeper impression?

The evacuation of the city of Canton was finished on October 21, 1861. For three years the commission had ruled the city. Mr. Parkes returned to his duties there after the signing of the Convention of 1860 in Peking. The conditions in the city before and after the commission began its work are reviewed by Mr. Parkes in his dispatch on taking leave of his commissionership.

**208. Mr. Parkes's review of the work of the commission in Canton**

I have the honor to report, for the information of Her Majesty's Principal Secretary of State for Foreign Affairs, that the evacuation of Canton by the allied troops was completed on the 21st (October), and that on that morning possession of the city was restored to the Chinese authorities.

The arrangements for this event had been previously announced to the Chinese in the proclamation issued by the Tartar General-in-chief, the Viceroy of the two Kwang provinces, and the Governor of the Province of Kwang-tung . . . recording in a few true and forcible words the manner in which the occupation has been conducted, and the good effects resulting from it. It is a well-merited tribute to the behaviour both of the allied troops and the Chinese population, and affords evidence of the necessity and the success of a measure which is now happily terminated.

**Good feeling between the British and the Cantonese people**

A remarkable proof of the good feeling that has been maintained between the allied troops and the people may be seen in the fact that during the three years and ten months that the occupation continued, only two instances occurred in which attempts to take life were committed by the Chinese upon our men. I except, of course, from this general statement the frequent attacks made by hired assassins during the hostilities of the summer of 1858, when, following their usual mode of treacherous and cowardly warfare, the Chinese Government set a price, rising in the case of certain individuals

to an immense sum, on the head of every man or subject of the allies. It should also be noticed, as a proof of the mildness of the military rule of the latter, that the two offenders in the instances above mentioned were the only Chinese who suffered capital punishment at our hands during the whole period of the occupation.

The same respect evinced towards the troops has been likewise shown by the Chinese towards all foreigners. Prior to the occupation, the foreigner passed through the streets of the suburbs only—for, as is well known, within the city he was not allowed to set his foot—at the risk of being insulted, or assailed with stones and the vilest invective. This tone and language was laid aside from the moment of the capture of the city: and the single foreigner may now walk about its streets or suburbs, or penetrate, as many have done, into remote parts of the province, with the same degree of security as is enjoyed at those other ports where the Chinese authorities have insisted on proper behaviour on the part of the people or have not incited them to oppose or annoy the foreigner. The occupation has at least proved that most of the professedly popular opposition which we encountered at Canton prior to its capture was the effect of official instigation, and as the political end which the mandarins then attempted to serve no longer exists, we may hope that any repetition of this double-dealing on their part will not be experienced.

Responsibility of officials for "anti-foreignism"

Much of the credit of the present friendly disposition of the people is due to the orderly behaviour and the efficiency of the allied police, five-sixths of whom were taken from the British force. To these men the people would run for aid and protection under all circumstances, and applications for the interference of the allied Commissioners in strictly native matters, which in most cases were reserved for the action of the Chinese tribunals, were also constantly pressed with the same degree of eagerness. The confidence of the people in a strong and inoppressive Government, added to their own governable character, materially facilitated the task of maintaining order in a vast and most intricate city, containing a population of upwards of 1,000,000 inhabitants.

The allied police

The satisfactory change in the conduct of the authorities and people towards foreigners, and the consequently improved position of the latter, is doubtless the principal result of the occupation, and the one that was most to be desired; but other monuments of the event will remain in the Shameen site, and the introduction of an organized system of emigration. The former work has set at rest a long-vexed question which has formed an element in many of the old Canton misunderstandings. The community have been provided with most commodious building ground, obtained without any encroach-

Results of occupation of Canton

ment on the public or private interests of the Chinese, at an outlay proportioned, it is true, to the great extent of the accommodation obtained, but which, although undertaken, in the first instance, on Government responsibility, has already been nearly repaid by the community. The latter measure, emigration, being now confirmed by Treaty, has secured a new and unlimited supply of labour for the British West Indian and other Colonies, and the present is now the third year in which advantage has been taken of the arrangement.'

## *Section 34. The Meaning and the Importance of the Period 1840–1860*

In the study of history there are two steps: there is the narration of facts and description of conditions and institutions, and there is the interpretation of these events in their relation to the development of mankind. A fact is an unchangeable truth; a thing happened or it did not happen. Our attitude toward that event has no effect on the event itself, but it has considerable effect on ourselves. An historical fact varies in its significance from age to age; its interpretation depends on the period in which the interpreter writes. The application of the truth of an event to the life of any period depends largely on the interpretation of that event. It is, therefore, important for us to consider the conclusions of various writers as to the meaning of the period under discussion.

The first interpretation is that of Mr. L. N. Wheeler in his *The Foreigner in China.*

**209. Resumé of British policy during the period**

**Captain Elliot's errors**

The signal results of war have seldom been wisely improved by diplomacy. When Captain Elliot attacked Canton, in 1840–41, and succeeded, through the valor of English sailors and soldiers, in driving the enemy from every stronghold around the city, the British representative did not use this fortunate result by entering the provincial capital at once and trampling under foot the arrogant assumption that no foreigner should be allowed to pass its gates; but he accepted overtures of peace outside the walls while actually contemplating them as limits of a forbidden precinct, withdrew his

forces for a handsome pecuniary indemnity, and left the Chinese to plume themselves on their success,—a proceeding which necessitated the identical work to be all done over again, years after, at the expense of a vast amount of blood and treasure. Sir Henry Pottinger committed a similar error when, after taking various cities on the coast, and by appearing with a formidable squadron before Nanking, so terrifying the Chinese that they professed themselves ready to submit to any terms, he withdrew his forces at the moment of complete triumph and was inveigled into shifting the scene of detailed negotiations back to Canton, instead of onward to Peking, thereby losing some of the most practical benefits which should have accrued. After repeated blunders, resulting in the catastrophe of Ta-koo, Lord Elgin awoke to the fact that the effectual blow must be struck at the capital. The courage and strategy of the allied forces soon brought him there but he was content with occupying only one gate of the imperial city, utterly throwing away the first complete opportunity that had occurred of settling the old and vexed question of a personal audience of the Emperor, the postponement of which occasioned material prejudice to all foreign interests in China.

Sir Henry Pottinger's error

Lord Elgin's errors and final rectification

The interpretation of an English military man, Captain Henry Knollys, is of importance because of its point of view.

It is scarcely too much to say that the China war of 1860 may be considered the most successful and the best carried out of England's "little wars" if, indeed the latter term be not a misnomer. No mistake occurred to mar the outline of the whole, and in the short space of three months the Chinese received three defeats in the open—their strong forts of Taku, on which they based their powers of resistance, were captured—and their capital itself was forced to succumb under the guns of the invaders. The expense involved was great; but, unlike the majority of wars, the consequent return was adequate. We obtained freedom of action for our merchants throughout the whole of the empire; we procured for the civilized world protection from the oppression and barbarous outrages which the nation had been previously wont to inflict upon strangers; we struck a salutary blow at the pride of China, which, as experience shows, has been successful in convincing her that she is no match for the peoples of Europe; and, above all, we exacted from them the Treaty of Pekin, which has proved far more lasting than any former engagements with that nation.

**210. Importance of the war of 1860**

Its results

Had we, on the other hand, refrained from war, we could not have maintained our position at the several ports where we traded; neither property nor life would have been worth a moment's purchase; the laws of nations would have been habitually set at defiance; and the time would have arrived when we should have been compelled to quit the country altogether—conciliatory measures and efforts to obtain our just demands by negotiation having been interpreted by the Chinese as signs of weakness. When at last, in alliance with the French, we had recourse to arms, the advantages obtained for the civilised world were scarcely less important than those insured for our own individual interests.

Mr. Morse's interpretations and conclusions, as given in his *International Relations of the Chinese Empire*, have been quoted before. They are significant because of their impartiality, being the deductions of the mature mind of a man who was for many years a resident of China, a national of a country friendly to both England and China, and who has written long enough after the occurrence of the events for a cool sense of justice to develop. Correct interpretation is seldom arrived at while the battle is still on.

211. H. B. Morse's summary of the period 1834-1860

And so ended the twenty-five years' struggle to decide on what conditions the relations between East and West should exist. At the outset these relations were purely commercial, at the absolute discretion of the Chinese officials, but with some moderate control exercised by the company to which had been entrusted a monopoly and the right of supervision over the merchants of that nation which had the largest share in the trade of China. Other traders, subjected to no monopoly or control, then came into the field, and the check formerly imposed on the Chinese was weakened; and it was finally destroyed by the abolition of the monopoly of the English company. Lord Napier then came to establish the relations with China on a fitting basis; he found the Chinese quite content with the existing situation, and refusing to admit any, even the slightest, change which should lower their prestige or lessen their emoluments, and this attitude they maintained consistently for five years. The opium question then became acute, and on it the Chinese entered into a war which was fought by the English on other issues; and it was those other issues which were settled by the English victories, the Chinese

being still left free to execute by all lawful means their own laws against opium. The settlement of those other issues—equality of national status, the imposition of a known and moderate tariff, and the removal of foreigners from Chinese jurisdiction—hurt Chinese pride, was not accepted by the court and governing body of the empire, and was rejected by the people of Canton; and fourteen years of perpetual friction followed on the peace of 1842. The second war was fought to settle again the same questions, and in the settlement every vestige of Chinese sovereignty was swept away within the limits of the stipulations of the treaties; but the victories of the second war were as inconclusive as those of the first, and a third became necessary. This third war, conducted with adequate forces, finally brought China to her knees; and, with her dominion rent by rebellion, foreign troops within the gates of her capital, and the emperor a fugitive at Jehol, without the wall, her rulers were driven to recognise that diplomacy was of no avail unless supported by armed force. There might be occasions when they felt they were in the right, there might be others when they knew the foreigner was in the wrong, and they declared that they were constantly hurried into precipitate decisions; but at last they had learned the lesson that only the mailed fist could guard their house. In time the world, East and West, also recognised that the West had exercised great restraint and shown a wise moderation in reaping the fruits of victory, and that the restrictions imposed on Chinese sovereignty were only those rendered indispensable by the inefficiency and corruption of the mandarinate of the empire; but this was a lesson for future years; now, as the result of three wars, the Chinese learned, and they accepted as their law, that, whereas formerly it was China which dictated the conditions under which international relations were to be maintained, now it was the Western nations which imposed their will on China.

Similarity of First and Second wars

## SUPPLEMENTARY READINGS

**See references to previous chapter, and also**: R. J. L. M'GHEE, *How We Got to Pekin* (London, 1862); C. S. LEAVENWORTH, *Arrow War;* L. N. WHEELER, *The Foreigner in China* (Chicago, 1881); H. KNOLLYS, *Incidents in the China War of 1860, Compiled from the Private Journals of Sir Hope Grant* (Edinburgh and London, 1875); H. B. LOCH, *Personal Narrative of Occurrences During Lord Elgin's Second Embassy to China in 1860* (London, 1900); W. A. P. MARTIN, *Cycle of Cathay* (New York, 1900); L. OLIPHANT, *Narrative of the Earl of Elgin's Mission to China and Japan in the years* 1857–8–9; *British Blue Book—Lord Elgin's Mission;* S. W. WILLIAMS, *Middle Kingdom; Treaties, Conventions, etc. Between China and Foreign States* (Inspectorate General of Customs, 1917); G. W. COOKE, *China and Lower Bengal, Preface;* H. B. MORSE, *International Relations*, Vol. 1, Chaps. XIX–XXII, XXIV–XXVI.

# CHAPTER IX

## THE TAIPING REBELLION

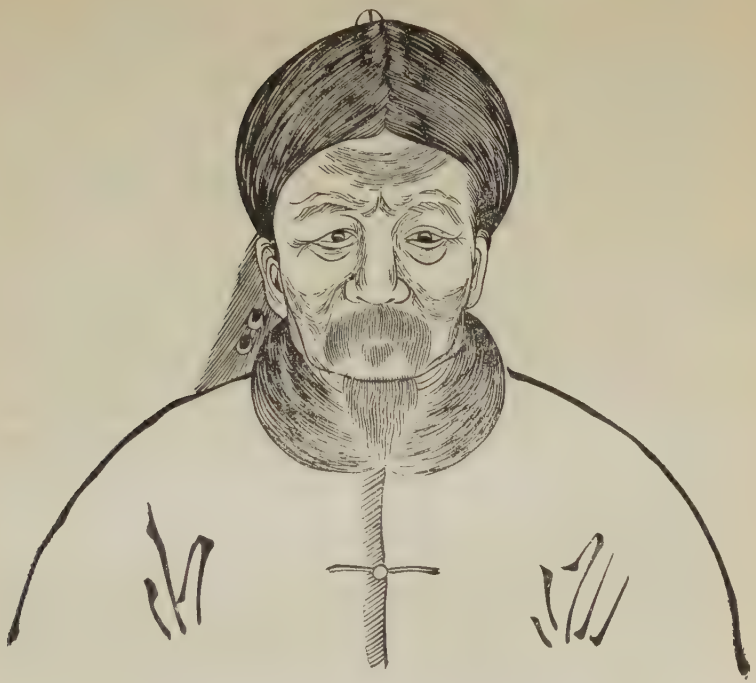
### *Section 35. The Background of the Rebellion*

It has seemed best in the two preceding chapters to follow uninterruptedly the progress of the Second Anglo-Chinese War. In reality there was an interplay of movements to which reference has not been made. At the time that the Western powers were carrying on a struggle with the imperial government, the same government was involved in a life-and-death conflict with internal enemies, the Taiping rebels.

The Taiping Rebellion was an attempt to drive out the usurping Manchus from their imperial position and to replace them by a native dynasty which was to be considered as a continuation of the last native dynasty, the Ming (1368–1644). According to Chinese political theory, a dynasty should rule until the Mandate of Heaven is exhausted. Just when this takes place is, of course, a question the solution of which depends on the point of view.

**212. Chinese theory on the right to rebel**

The right to rebel is in China thought to be a chief element of national stability. So long as the occupant of the throne rules with the rectitude and goodness which are in imitation of T'een-taou, or the "way of heaven," both man and nature are held in submissive harmony. But when he violates the principles of supreme justice, the passion of men and the powers of the elements alike break away from all bounds of restraint. The disasters of war, pestilence, and famine,—even earthquakes and storms of extraordinary violence,—are but



*Li Ung Bing's "Outlines of Chinese History"*

TSO TSUNG-TANG

so many intimations that Heaven is about to withdraw from him the Divine Commission. Says Mr. Meadows, in speaking of the patriarchal feature of the government, "In truth, the analogy between the family and the state does not hold good on Chinese views themselves. In China, sons never have the right to resist the cruelties of the most tyrannical father: by one of the oldest and most deeply rooted of the national doctrines, the people have the distinct right to depose and put to death a tyrannical emperor. And this very departure from the strict patriarchality is one of the causes of the stability of the nation: it is thereby permitted to free itself from tyrannical government which, if prolonged, would cause its destruction."

The disastrous result to China of the First Anglo-Chinese War had a very serious effect upon the moral position of the Manchus. It had shown their weakness to their Chinese enemies, and these were much more

dangerous than the Westerners who had fought a short war for social and commercial reasons. Not until 1842 did it become clear to the natives that their conquerors had lost their old-time vigor and martial strength and that they were on the downward road. In less than ten years after the signing of the Nanking treaty, the Manchus were face to face with the most irreconcilable of their enemies.

**213. Firearms among the people**

By a long established rule of the government, the possession of fire-arms had always, previous to the war with England, been denied to the common people; and even the sale of iron had at one time been restricted, lest it might be converted to other uses than those of agriculture. But during the war there had been such a liberal distribution of arms to persons of all descriptions, that they remained in the possession of many who were soon ready to make bad use of them. The growth of piracy since the war may be in a great measure attributed to this cause. The mere possession of weapons led to their abuse, and those, who were fishermen or smugglers to-day, were pirates to-morrow. The government, on the other hand, had become weaker and less able to control, in proportion as the exertion of its powers was more required. . . .

**Trouble with pirates**

Notwithstanding the unwillingness of the Chinese government to acknowledge its weakness, every offer of aid and co-operation against the pirates was frequently made, and at length the evil became too great to be borne. They swarmed along the whole of the east coast, as far as Foochow-foo, and became the terror of native junks, which frequently accepted convoy from European vessels. But these themselves were not always safe. . . .

The evils on shore rivalled those at sea. It has been seen that during the war there was little or no sympathy or co-operation between the government and the inhabitants of the places visited by the British forces, except, indeed, at Canton; and even there the populace treated the matter rather as an ancient feud of their own, and acted independently. When towns on the coast were captured, the rabble followed close upon our troops, and plundered their own countrymen. The universal disorder and confusion thus generated, left their traces and effects after the conclusion of the peace, and have never been completely remedied. Stimulus and encouragement was especially given to the secret societies, which under the names of the Triad, the Water Lily, and other designations, have been long in existence with the professed object of restoring the Ming, or Chinese dynasty, by the expulsion of the Tartars.

The organizations formed by the Chinese prior to 1842 for anti-English purposes could not be dissolved by the officials of the imperial government. It became a case of "hoist by their own petard," for the organizations encouraged as anti-foreign shortly became and remained anti-Manchu.

214. Effect of the First Anglo-Chinese War

Now the armies of Tièn-tè* are almost wholly composed of members of the three associations† of which Sir John Davis gives us an account; and which are now united by a common hatred against the Tartar dynasty. Nevertheless their opposition would have remained latent for ages, if two circumstances had not led to a violent outburst of their feelings.

When the English commenced their expedition against China, the Government attempted to kindle the popular passions, and create a national movement fatal to foreigners. For this purpose it encouraged popular assemblies, sent hired orators into the chief towns on the coast, who preached the holy league with a vigour worthy of our own barbarous times. The success of this expedient surpassed the hopes of its projectors; the people swore to defend the empire in its integrity, and shouted aloud for arms; and China had her armed clubs, and her authorized democratic meetings, without anything of the kind being suspected in Europe.

Secret societies

However, British valour soon calmed this effervescence. The "fire-ships" and the "blazing gourds" (bombs) made the enthusiastic populace think more coolly, and they stopped prudently at home. However, when the war was over, the popular assemblies resumed their sittings, and the Government orators were succeeded by numerous speakers of an opposite tendency. These, in fervid discourses, accused the ruling power of negligence and stupidity; and the very men who would have taken the whole merit of a victory to themselves, did not hesitate to throw all the responsibility of a defeat upon the Emperor. The fanatics of the secret societies, who had dexterously placed themselves at the head of these assemblies, took advantage of the national humiliation to awaken the sentiments of hatred that the people had cherished for centuries against the foreign dynasty, and preached the expulsion of the Mantchous.

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* Tièn-tè was a pretender to the throne who shortly preceded the Tien Wang [Ed. note].

† The white 'water-lily', the 'Incense-burners' and the Triad, or the Society of the Three United. [Heaven, Earth, and Men—Ed. note.]

Governmental fear of the societies

Even at that time, the Court of Pekin would willingly have suppressed the commotion it had caused; but it hesitated: the clubs had terrified it.

Something, however, was still wanting to the enemies of the Mantchous to enable them to excite the masses: hatred against a dynasty is not always sufficient to produce a revolution. The want was supplied by the conquerors. The Chinese "men of letters" at Canton, who had hitherto cared but little for the social organization of the West, wished now to be initiated into the manners and customs of their conquerors. For this purpose they made themselves acquainted with the Protestant ministers, whom they had hitherto neglected; and it was about this time that Gutzlaff formed his celebrated Chinese Union.* From this time a certain number of disciples of Confucius became adherents of the Anglo-Saxon Chang-ti.† Being thus members of the great Christian family, they entered anew the Chinese catacombs; but they were now armed *cap-à-pie* to wage a double war against the authority of the Tartars.

Some years before the Taiping Rebellion actually broke out, a thoughtful student, Mr. T. T. Meadows, whose observations have been previously quoted, called attention to one of the main causes of dissatisfaction with the imperial court. The prophecy made below came true in intent even though the "Belisarius" Hung Siu-tsuen did not succeed.

215. The selling of offices by the Manchus

The very unfair proportion of Manchoos employed by the present dynasty in government posts, is a deviation from the fundamental principle of Chinese polity; and, as might be expected, it constantly nourishes a feeling of dissatisfaction among the Chinese, which, though they are obliged to be at some pains to conceal it, occasionally escapes them. The selling of government posts, which has recently been carried to a great extent, is another deviation from it, dangerous in the highest degree for the present rulers. Hitherto the dread of the more warlike Manchoos, joined to the partial

* "A sort of secret society . . . the object of which was the conversion of the Chinese to Christianity by the Chinese themselves."—Callery and Yvan.

† One of the Chinese terms used by Westerners to translate the English word "God."

operation allowed to this principle, has been sufficient to repress or prevent the general rising of a quiet-loving people; but if the practice of selling offices be continued, in the extent to which it is at present carried, nothing is more likely, now that the prestige of Manchoo power in war has received a severe shock in the late encounters with the English, than that a Chinese Belisarius will arise, and extirpate or drive into Tartary the Manchoo garrisons or bannermen, who, during a residence in China, twice as long as that of the Vandals in Africa, have greatly deteriorated in the military virtues; while they still retain enough of the insolence of conquerors, to gain themselves the hatred of the Chinese.

### *Section 36. The Beginning of the Rebellion*

As the great rebellion was beginning the old emperor Tao Kuang died, and was succeeded by his son Hsien-fêng, a young man and a weakling. The new emperor, whose personal name was I Chu, was born in 1831, and was the fourth son of Tao Kuang. He was quite unfit for the responsibility that devolved on him; his reign was troubled by the Taiping Rebellion and the Second English War. On the approach of the allies in 1860, he fled from Peking to Jehol, where he died the next year. The style of the announcement of the death of an emperor and the accession of a new monarch is interesting.

**216. The accession of Hsien-fêng**

On the 25th of February, 1850, the emperor Taoukwang died after a reign of nearly thirty years. His death was announced to the British authorities in China in these terms:—"I write to inform you I have just received intelligence from Peking, that upon the 14th of the first moon the emperor departed upon the great journey, mounting upwards on the dragon to be a guest on high, and that the heir on the same day ascended the throne." *Le roi est mort—vive le roi.* He was succeeded by a son under the age of twenty, who, as the sovereign of China always declares his successor, was nominated thus:—"On the 14th of the first moon the Emperor summoned to his presence the Comptroller of the imperial clan, the President of the Board of Civil Offices, with the Ministers who wait upon His Majesty, and wrote a decree in the vermillion pencil to this effect: 'We hereby appoint Yih-Chu our fourth son, to be heir. Princes and Ministers,

be unanimous in assisting him with your counsel to make the people his chief consideration in every measure, and to give his attention to nought but what concerns them.' ''

A very interesting contemporary account of the young emperor Hien-feng is to be found in MM. Callery and Yvan's *History of the Insurrection in China*, published in 1853.

**217. Sketch of the emperor Hsien-fêng**

The Emperor Hièn-foung is only twenty-two years of age. He is of a middle height, and his form indicates great aptitude for bodily exercises. He is slender and muscular. His face, which indicates a certain degree of resolution, is chiefly characterized by a very high forehead, and by an almost defective obliquity of the eyes. His cheek bones are very prominent, and strongly marked. The space between the eyes is large and flat, like the forehead of a buffalo. Hièn-foung is of a stubborn and credulous disposition. In the midst of the most effeminate luxury he affects severity of morals, and, notwithstanding his youth, he is already married. . . . Hièn-foung, invested with supreme authority, and summoned to direct a state-machine, the springs of which are strained but not worn out, does not know how to restore those parts which have been affected by time. His chief defect is a want of that exquisite tact which enables a prince to give every one the exact measure of praise or blame which is his due. He is not endowed with a correct judgment, for amongst that multitude of attendants, eunuchs, concubines, and slaves who surround him, he does not know how to distinguish those faithful counsellors whose fate is bound up with the existence of his dynasty, from mere adventurers who hover about every palace, and who, having their fortunes to make, never give advice which is wholly disinterested. At once violent and weak, the young Emperor abandons himself to his favorites of the moment, and places blind confidence in the officials for the time being. The manifestations of his authourity are always the exaggerated expressions of some insinuation, perfidious or otherwise; and even in this latter case his most useful determinations become so many political faults when they have passed through a brain naturally disposed to violence and ferocity.

The Chung Wang, or Loyal Prince, was one of the greatest and the most faithful leaders of the Taipings.

He was a man of distinguished military ability. On the fall of Nanking in 1864 he was captured and executed. Before his death he wrote an autobiographical account of the Rebellion, which constitutes one of the most valuable of the sources for this movement. The work was translated by W. T. Lay, and published in the *North-China Herald* for October 22, 1864. The beginning of the Rebellion and an account of the origin of several of the Taiping leaders is given in Chapter 1.

**218. The origin of the Taiping leaders**

The Chung-Wang, upon being called on for his defence, wrote the following:—Before entering into the details of my own career, I will make a few preliminary remarks relative to the antecedents of the Tien-Wang. The Hung family consisted of three brothers; the two elder (Hung-jên-fa, and Hung-jên-ta) were by the father's first wife, and Tien-Wang (Hung Siu-tseuen) was by the father's second wife. The elder and second brother were employed in agricultural pursuits, whilst Hung-siu-tseuen was given to study, and while at school, formed an intimate acquaintance with Fung-yun-san, who was of the same turn of mind as himself. It happened one day in the year 1847 that the Tien-Wang suddenly became sick. For seven days he was in a trance, and when at the end of that time, he again became conscious, he was much given to peculiar or insane conversation. He discoursed little on general affairs, but commenced exhorting people to reverence Shangti and to regenerate themselves. His doctrine was that a man serving Shangti would be free from all calamity or misfortune, whilst snakes and tigers would devour all disbelievers. Those who served Shangti could not serve other gods, and those who did serve other gods were guilty of sin. . . .

**The Tien Wang's trance**

The Tien-Wang was a native of Hua-hsien in the Canton province, and from that place through Kuangsi, and other places extending several thousand li, his followers were sprinkled like stars. The Tien-Wang was constantly concealed amongst the hills, carrying on his work of reformation, and out of ten families he either made converts of three or five or even eight of them. Students and those of good sense would not follow him, but only the agricultural labourers and those in distress were willing to join him, and of these latter there was an immense number. The preconceived design of ultimately establishing a government was known only to the Tung-Wang (Eastern King), Yang-siu-ch'ing, the Hsi-Wang (Western King),

Hsiao-ch'ao-Kuei, the Nan-Wang (Southern King), Fung-yun-shan, the Pei-Wang (Northern King), Wei-Ch'ang-hui, the Yi-Wang, Shih-ta-k'ai, and the spiritual Minister of State, Ch'in-yih-c'hang. None but the above six were aware of it. The only object the remainder of the people had in following the Tien-Wang was for the sake of obtaining a subsistence. The Eastern King . . . lived . . . in the neighbourhood of Kuei-p'ing (hsien), and depended for his existence on the sale of firewood and charcoal. He had no knowledge of military tactics until after he had worshipped Shangti, when unexpectedly heaven wrought a great change in him. He enjoyed above all others the confidence of the Tien-Wang, and had the general management of affairs entrusted to him. His orders were strict and proper, and his rewards and punishments administered impartially.

**The Hsi Wang**

The Hsi-Wang . . . likewise engaged in farming and hill-side planting. He married the young sister of the Tien-Wang and was hence all-important to the cause. He was a brave and courageous man, and one of the best fighting men.

**The Nan Wang**

The Nan-Wang . . . was of a literary turn of mind and possessed of very good ability. He was the originator of the project for setting up a government, and was the prime mover

**The Pei Wang**

in the affair. The Pei-Wang . . . was engaged in public business, and was generally acquainted with Yamŭn routine. The Yi-Wang . . . was a student of good family and was well up in both civil and military matters.

The Minister of State . . . was . . . an ordinary labourer by trade. He was without talent or ability, but possessed of faithfulness and honesty which recommended him to the confidence of the Tien-Wang. . . .

**The Chung Wang's youth**

The great distress of our home was the sole cause of my leaving it. Our family lead a very precarious existence, having to subsist in the best way we could. From the age of 8 to 10 I was engaged in study, but at that period I was obliged to assist my father and mother in working for our daily sustenance. It was not until I had attained the age of 26 that I heard of Hung-siu-tseuen projecting a new doctrine.

The founder and head of the Rebellion was Hung Siu-tsuen, a native of Kwangtung, who was born in 1812 or 1813. He came into contact with Christian teachings in 1833 but was, apparently, little affected by them. At this time he failed in the triennial examinations. In 1837, he tried again and failed. Shortly after this, he

fell ill, and during his illness had visions which he later interpreted as foretelling his future greatness. The most important of his visions is given below. In 1847, he failed again in the triennial examinations and in the spring of that year he received instruction in Christian doctrine from an American missionary, the Rev. Isacchar J. Roberts. He was refused baptism: he then formed an "Association for the Worship of God." From this developed the Rebellion.

Tried 3rd time in 1843

219. The vision of the Tien Wang

He saw a dragon, a tiger, and a cock entering his room; and soon after he observed a great number of men, playing on musical instruments, approaching with a beautiful sedan chair, in which, having invited him to be seated, they carried him away. . . . They soon arrived at a beautiful and luminous place, where on both sides were assembled a multitude of fine men and women, who saluted him with expressions of great joy. As he left the sedan, an old woman took him down to a river and said,—'Thou dirty man, why hast thou kept company with yonder people and defiled thyself? I must now wash thee clean.' After the washing was performed, Hung sew-tseuen, in company with a great number of aged, virtuous and venerable men, among whom he remarked many of the ancient sages, entered a large building where they opened his body with a knife, took out his heart and other parts, putting in their places others, new and of a red colour. When this was done the wound instantly closed, and he could see no trace of the incision which had been made. . . . Afterwards they entered another large hall, the beauty and splendour of which were beyond description. A man, venerable from his years, with golden beard, and dressed in a black robe was sitting in an imposing attitude in the highest place. As soon as he observed Hung sew tseuen, he began to shed tears, and said—'All human beings in the world are produced and sustained by me; they eat my food and wear my clothing, but not a single one among them has a heart to remember and venerate me; what is however still worse, they take my gifts, and therewith worship demons; they rebel against me, and arouse my anger. Do thou not imitate them.' Thereupon he gave Hung sew-tseuen a sword, commanding him to exterminate the demons, but to spare his brothers and sisters; a seal by which he would overcome the evil spirits and a yellow fruit, which Hung sew-tseuen found sweet to the taste. When he had received the ensigns of royalty

from the hands of the old man, he instantly began to exhort those collected in the hall to return to their duties toward the venerable old man on the high seat. Some replied to his exhortations, saying, 'We have indeed forgotten our duties toward the venerable.' Others said,—'Why should we venerate him? Let us only be merry, and drink together with our friends.' Hung sew-tseuen then, because of the hardness of their hearts, continued his admonitions with tears. The old man said to him, 'Take courage, and do the work, I will assist thee in every difficulty.' Shortly after this he turned to the assemblage of the old and virtuous saying, 'Hung sew-tseuen is competent to this charge;' and thereupon he led Hung sew-tseuen out, told him to look down from above and said, 'Behold the people upon this earth! a hundredfold is the perverseness of their hearts.' Hung sew-tseuen looked and saw such a degree of depravity and vice, that his eyes could not endure the sight nor his mouth express their deeds. . . . The sickness and visions of Hung sew-tseuen continued about forty days, and in these visions, he often saw a man of middle age, whom he called his elder brother, who instructed him how to act, accompanied him in his wanderings to the uttermost regions in search of evil spirits, and assisted him in slaying and exterminating them.

At the time that Admiral Seymour was dropping shells on the yamen of Commissioner Yeh in Canton,—at the end of October, 1856,—a commander of the Taipings in power in the country around Canton wrote to Sir John Bowring, the governor of Hongkong, offering to form an alliance and asking for help. For more than two years the Taipings had spread their power in the province of Kwangtung. The English refused to ally themselves with the rebels in spite of all offers.

**220. Taiping attempt to gain English aid**

Hung-Seu-Tsung, of the Celestial Kingdom of Taiping, holding the Imperial Commission as Commander-in-Chief for the reduction of the two Kwang, and appointed a Prince of the Empire, lays this letter, with a hundred compliments, before his Excellency the Minister Plenipotentiary of Great Britain, and respectfully begs to make a statement.

In the Sin-hae year (1851), I had the high honour to receive instructions from my Royal Brother, the Taiping Emperor, at Yunganchow, in Kwangsi, to recover that province. At Hwaheen, however, as an army was being assem-

bled, and before the movement had yet commenced, the attention of the Mandarin dogs having been awakened, the result was the apprehension of more than two hundred of our men, who were carried off to Canton and decapitated, whilst I myself escaped from the place by flight.

In the ninth moon of the Kea-yin year (October 1854) I arrived in Hong Kong, and attended with reverence (upon the teachings) of Christian Ministers, relying upon them for reformation and eternal happiness, and in the third moon of the present year (April, 1856), I was again honoured with an Imperial Commission to reduce the two Kwang. . . .

Yesterday I heard that the naval forces of your honourable country had engaged the Government soldiers at the city of Canton, and won a great victory that will lead to the capture of the place, which we certainly shall witness. But I and my associates blush to think that from the smallness of our supplies and fewness of our vessels, our wish to aid you is ineffectual. When we lay our hands upon our hearts and think we are troubled beyond measure, and yet have no resource.

My soldiers and captains, and the high officers associated with me, are all Canton men, and as our fathers and brothers and property have been made away with by the Mandarin dogs of the Tartar Government, and countless numbers of us have been trampled on and murdered, when we see now that the forces of your honourable country have attacked Canton, and our own deficiency in supplies and vessels, it cannot but inexpressibly torment us.

Yesterday I deliberated again and again with all the great Ministers, but we were all unable to devise anything (feasible). We look up (then) to your Excellency, to your country's wealth, and to her soldiers' valour. Take pity on our poverty, compassionate our wants, and, as formerly you had friendly intercourse with our party, we humbly beg of you to think of those friendly feelings, and aid us against the object of our common hatred. Grant us a loan of supplies, or lend us steamers, and give orders to your police to appropriate thirty or fifty of the junks lying in Hong Kong, for the use of our soldiers, and we will proceed straight up the river to Polo, and there land, and fighting on shore will utterly exterminate the vagabond (followers) of the Tartar Government, and call to our standard and take under our protections, the inhabitants of all the villages in the neighbourhood of the provincial capital; in the first place, to repay your kindness in protecting and countenancing us, and secondly, to gratify our desires of vengeance. Having reached the place aforesaid and landed, we would at once give up the junks taken at Hong Kong to the steamers to tow back to that

Taipings vs. Tartars

place, and, if you approve upon searching the place aforesaid, and remaining there three days, we would thankfully repay all the expenses incurred by the steamers.

This looked at in a public or private point of view would be good in every respect, I trust you will consider it, and I shall never forget your kindness.

Dated Ping-chen year, 10th moon, 2nd day (30th October, 1856).

### *Section 37. The Claims of the Rebels*

Orders and proclamations are often composed in rhythmic style for the consumption of the populace. When the rebels entered the city of Nanking, a city noted for its culture, a special attempt to impress the people was made. The following is a translation of the Taiping notification to the citizens that they were to be safe under the rule of the new dynasty, and a hint of their own refinement which should prove their worthiness to rule a cultured people.

221. Proclamation to the people of Nanking

Ye people, this announcement is to set your minds at rest,
And hinder you from fleeing to the East and to the West.
The hearths and altars of the Mings—that dynasty sublime—
Have been usurped by Mantchou hordes until the present time.
But now we hurl the Tartars down, and raise the Chinese throne,
The greedy crew of magistrates shall perish every one.
Our deeds are surely virtuous, when Heaven we obey,
So do not, O ye people, to vain alarms give way.
Since first our mighty force began to penetrate the land,
Upon the honest citizen we ne'er have laid a hand.
The ashes of our ancestors are in your neighbourhood,
And urged by their example we protect the just and good.
Against the robbers of the place all due precautions take,
And do not waste your courage for the vile oppressors' sake.
At Houang-Tcheou and at Han-Yang many valiant warriors fell,
Because the hardy peasants for their tyrants fought too well.
But though a hundred millions should oppose us in our course,
As dust by wind is scattered, we shall dissipate their force.
When the Kiang-Nan and the Chang-Toung shall at last submissive be,

You shall all enjoy the blessings of a long tranquillity.
To these few words of warning you will now attention pay
Nor be by disobedience nor by terror led astray.

The Tien Wang, as Hung Siu-tsuen was called after the Rebellion spread, proclaimed a new religion for the Chinese people. It was supposed to be a new revelation of Christianity. A Trinity was preached which included the Father; Jesus Christ, the Heavenly Elder Brother; and, instead of the Holy Spirit, the Tien Wang himself as the Heavenly Younger Brother. It was declared to be the will of God that the Manchus should be exterminated.

222. The "Divine Commission" of the "Heavenly Prince"

Our Heavenly Prince has received the Divine Commission to exterminate the Manchoos,—to exterminate them utterly, men, women, and children,—to exterminate all idolaters generally, and to possess the Empire as its true sovereign. It, and everything in it, is his: the mountains and rivers, its broad lands and public treasuries; you, and all that you have, your family, males and females from yourself to your youngest child, and your property from your patrimonial estates to the bracelets on your infant's arm. We command the services of all, and we take everything. All who resist us are rebels and idolatrous demons, and we kill them without sparing; but whoever acknowledges our Heavenly Prince and exerts himself in our service shall have full reward,—due honour and station in the armies and Court of the Heavenly Dynasty.

In addressing his more timid and doubtful generals, the Tien Wang used the grand manner as well as with the common people. His undoubted ability during the early years of the movement and his great enthusiasm assured his followers that the conquest of the empire was merely a matter of time. His followers had unbounded faith in their leader.

223. The Tien Wang to his timid generals

The Heavenly Father has given me this Middle Kingdom. The eighteen provinces are mine. I do not depend upon you for success. I can do without you; but you

cannot exist without me. Should you all forsake me, my cause must triumph. Begone! The Heavenly Father mightily reigneth, therefore my dynasty shall exist forever; the Elder Brother bears my burden, therefore the Celestial Hall shall be full of glory, forever full of glory!

In the second year of the Taiping dynasty, 1852, the *Book of Celestial Decrees and Declarations of the Imperial Will* was published. In April, 1853, the British steam-sloop *Hermes*, with Sir George Bonham, visited Nanking, which had been taken by the Taipings on March 19. At this time, Sir George Bonham estimated the fighting forces of the Taipings to be not less than twenty-five thousand. While here, copies of the Taiping "religious" tracts were obtained, and shortly after translated by the Rev. Dr. W. H. Medhurst. It is pointed out by Mr. Meadows, who acted as interpreter for this expedition, that the extreme fanatical phase, illustrations of which are given here, began during the temporary absences of the Tien Wang during the early days of his movement.

224 Claims concerning the descents of God and Christ into the world

In the third month (April) of the Mow-shin year (1848) our heavenly Father the great God and supreme Lord came down into the world and displayed innumerable miracles and powers, accompanied by evident proofs, which are contained in the Book of Proclamations. In the ninth month (October) of the same year, our celestial elder Brother, the Saviour Jesus came down into the world, and also displayed innumerable miracles and powers, accompanied by evident proofs, which are contained in the Book of Proclamations. Now lest any individual of our whole host, whether great or small, male or female, soldier or officer, should not have a perfect knowledge of the holy will and commands of our heavenly Father, and a perfect knowledge of the holy will and commands of our celestial elder Brother, and thus unwittingly offend against the celestial commands and decrees, therefore we have especially examined the various proclamations containing the most important of the sacred decrees and commands of our heavenly Father, and celestial elder Brother, and having classified them we have published them in the form of a book, in order that our whole host may diligently read and remember them and thus avoid offending against the celestial

decrees, and do that which is pleasing to our heavenly Father and celestial elder Brother. There are annexed to the same some of our royal proclamations with the view of making you acquainted with the laws, and causing you to live in dread of them. Respect this.

On the 16th day of the 3d moon (21st of April), of the Ke-yew year (1849) in the district city of Kwei (in Kwangse), our heavenly Father, the great God and supreme Lord, said 'On the summit of Kaou laou hill, exactly in the form of a cross, there is a pencil; pray, (and you will get a response).*

Words of the Heavenly Father

On the 14th day of the 3d moon (19th April), of the Sin-k'hae year (1851) in the village of Tung heang (in the district of Woo seuen), the heavenly Father addressed the multitude saying, Oh my children! do you know your heavenly Father and your celestial elder Brother? To which they all replied, We know our heavenly Father and celestial elder Brother. The heavenly Father then said, Do you know your lord and truly?* To which they all replied, We know our lord right well. The heavenly Father said, I have sent your Lord down into the world to become the celestial king: every word he utters is a celestial command; you must be obedient; you must truly assist your Lord, and regard your king; you must not dare to act disorderly, nor to be disrespectful. If you do not regard your Lord and King every one of you will be involved in difficulty.

Words of the "Elder Brother"

On the 18th day of the 3d moon (April 23d), of the Sin-k'hae year (1851) in the village of Tung-heang, (in the district of Woo-seuen), the celestial elder Brother the saviour Jesus addressed the multitude, saying, Oh my younger brethren! you must keep the celestial commands, and obey the orders that are given you, and be at peace among yourselves: if a superior is in the wrong, and an inferior somewhat in the right; or if an inferior is in the wrong and a superior somewhat in the right, do not, on account of a single expression, record the matter in a book, and contract feuds and enmities. You ought to cultivate what is good, and purify your conduct: you should not go into the villages to seize people's goods. When you go into the ranks to fight you must not retreat. When you have money, you must make it public and not consider it as belonging to one or another. You must with united heart and strength together conquer the hills and

* This passage is difficult of comprehension; it probably refers to a suspended pencil, balanced by a cross-bar, which agitated by the wind, described certain characters by means of which the insurrectionists were accustomed to divine. See Morrison's Dictionary, Pt. I, Vol. I, p. 40.

† The "lord" here refers to the chief of the insurrection.

rivers. You should find out the way to heaven, and walk in it; although at present the work be toilsome and distressing, yet by and by you will be promoted to high offices. If after having been instructed any of you should still break Heaven's commands and slight the orders given you, or disobey your officers, or retreat when you are led into battle, do not be surprised if I, your exalted elder Brother, issue orders to have you put to death.

Dr. Medhurst summarized the doctrines of the Taipings, as found in their tracts obtained in Nanking. This summary, with the account of the visit to the Taiping headquarters in Nanking, was sent by Sir George Bonham to the Earl of Clarendon in May, 1853.

225. Dr. Medhurst's summary of the Taiping tracts

"The Book of Religious Precepts"

"The Book of Religious Precepts" is decidedly the best production issued by the insurgents. The reasoning is correct, the prayers are good, the ceremonies enjoined (with the exception of the offerings) are unobjectionable; the Ten Commandments agree in spirit with those delivered by Moses, and the hymns are passable. The statements of the doctrine of human depravity, redemption by the blood of Jesus, and renewal of the heart by the influence of the Holy Spirit, are sufficient to direct any honest inquirer in the way to heaven. If this were the only pamphlet issued by the insurgents, or if they were all like this, we should sincerely rejoice in the movement, and wish it success.

"The Ode of Youth"

"The Ode of Youth" gives some admirable lessons regarding the honour due to God, who is the Creator and Father of all. It sets forth in very clear terms the coming of Jesus into the world for the salvation of men by the shedding of His blood on the cross, and then goes on to detail the duties that are required of us as parents and children, brothers and sisters, husbands and wives, relatives and friends; concluding with instructions as to the management of the heart and external senses. Altogether it is an excellent book, and there is not a word in it which a Christian missionary might not adopt, and circulate as a tract for the benefit of the Chinese.

"The Trimetrical Classic"

"The Trimetrical Classic" begins well. It details the creation of the world, and the history of the Israelites, their deliverance from Egypt, the passage of the Red Sea, and the giving of the Law on Mount Sinai. . . . The writer then says that the Chinese, in early ages, worshipped one God, but were deluded afterwards by superstition; on which account God is said to have sent down the present leader of the insurrection

(who is also called His son) into the world, to study the Chinese classics, after which He took him up to heaven, and gave him instruction on Celestial matters; He also gave him a seal and a sword, with a commission to destroy His enemies. After having slain many, he was again taken up to heaven, where he says that he saw the mother and wife of Jesus, whom he calls his Elder Brother. Having received new instructions and encouragements, he came down the third time to consolidate his Government. . . .

"The Book of Celestial Decrees"

"The Book of Celestial Decrees" purports to be a collection of communications from God, our Heavenly Father, and Jesus, our elder brother, who, it is said, have several times, since the year 1848, come down into the world to declare the Divine will to man. In 1851 our Heavenly Father is said to have told the multitude that he had appointed the Chief of the insurrection to be their Celestial King, commanding them to be obedient to his commands, and aid him in attaining the Empire. The same year Jesus is said to have told them to fight in order to subdue the country, when they would all attain to high offices; but to have declared that if they disobey the commands of their superiors, or retreated in battle, he would put them to death . . . all very unlike what might be expected to come from our Heavenly Father, and very different from anything ever uttered by Jesus. . . .

This latter document indicates that the Chief is bent on attaining empire, and while claiming every indulgence for himself, is resolved to punish severely all those who interfere with his pleasures.

"The Revelations of the Heavenly Father"

"The Revelations of the Heavenly Father during His descent on earth" details the examination and detection of a traitor, on whom they were about to confer an appointment, when the Father is said to have come down from heaven in person, on purpose to arraign and cross-question the delinquent, and having brought his treason to light, to have returned to heaven. . . .

The anthropomorphism displayed in the above pamphlet is very striking. The Deity is brought down from a state of distant superiority, and is represented as familiar with mortals, in a degree which to us appears somewhat revolting. . . . The language in which the pamphlet is drawn up is also excessively colloquial, and in some instances provincial.

Conclusions

Having thus given a general view of the above five pamphlets, we leave the reader to form his own opinion. To ourselves it appears exceedingly difficult to arrive at a definite conclusion. There are some things good, very good, in the productions before us, leading us to infer that the authors were divinely taught, and to cherish the hope that

not a few will, through the medium of these truths, find the road to heaven. There are, however, some things of which we most highly disapprove; not the least of which are the pretensions to new and immediate communications from the Deity; some of which afford representations of the Divine Being far different from what we have been accustomed to in the Christian Scriptures, and made to serve the end of personal aggrandizement and ambition. . . .

Possible advantages from Taiping success

The advantages to be anticipated from the success of the insurgents are, the opening of the country to religious and commercial enterprise, and the introduction of scientific improvements, which will benefit both the giver and the receiver. It would be sad to see Christian nations engaged in putting down the movement, as the insurgents possess an energy, and a tendency to improvement and general reform (as witness their calendar) which the Imperialists never have exhibited, and never can be expected to display. Questionable though it be, the form of Christianity which the insurgents profess is far better than the stupid idolatry hitherto practised by the Chinese; and it is possible that European nations, if engaged on the opposite side, would be going to war with some people in some respects better than themselves. Should the Imperialists, unaided by foreigners, prevail over the insurgents (of which there seems little probability) they will become much more exclusive and insolent than before. . . . The only policy that appears at present advisable, is to keep ourselves from being involved any further in the quarrel, and to avoid all Government connection with either party. Foreigners should be prepared, however, with a sufficient force to resist any attack which the insurgents may be induced to make on them to their own destruction.

## *Section 38. The Later Years of the Rebellion*

On March 19, 1860, the Taipings, led by the Chung Wang, or Loyal Prince, captured the city of Hangchow. This famous leader left, in his autobiography, quoted from above, an account of the reasons leading him to attack the city.

226. The Loyal Prince's account of the taking of Hangchow

I . . . reached Hang-chow, having then only six or seven thousand men with me. The five gates of Hang-chow were speedily invested, and before four days regained an entrance through the Ch'ing-po gate. The capture of the city was not effected by the strength of man, but accomplished by a divine

dispensation, as 1250 men only were present at the attack. It was not my intention originally to attack Hang-chow, but seeing that Ho-ch'un and Chang-kuo-liang were besieging my Chief and my mother in Nanking, and knowing that the two generals derived their supplies from Hang-chow, Soochow, Kiangsi, Fokien,and Kuangte, I made this extraordinary move with a view of drawing off part of their beleaguering force, and then intended by a surprise to compel them to raise the siege. We had several battles with the Manchoo garrison after we had entered Hang-chow, and were a long time before we were victorious. Soon after this Chang-kuo-liang *did* (as I surmised he would) detach part of his army under Chang-yu-liang to save the city. On their arrival at the Wu-lin gate we gained the information from them that they were part of the Kiangnan forces; and thus we knew that our plan had succeeded admirably. On the morning after their arrival, I made a great display of flags on the city walls in order to induce them to retire in the belief that our numbers were formidable. Strange to say success again came to our aid, the enemy retired and for 24 hours made no attempt to enter the city, —meanwhile I was enabled to retire unmolested. *Then—in those days*—the Heavenly dynasty was not doomed to be destroyed and stratagem succeeded; now that its days have been accomplished stratagem has failed.

From 1853 to 1864, the city of Nanking was held by the rebels, and for these eleven years the city was more or less closely besieged by the imperialists. The *North-China Herald*, of January 12, 1861, commented on the peculiar methods of siege used by the imperialists. These serve to explain partially why the city went so long uncaptured.

227. Comments on the siege of Nanking, 1860

The siege of Nanking was certainly kept up in a strange manner. An outlet through which the Chang-maos (long-haired rebels) might have ingress and egress without much difficulty was kept open towards the south. Along this line, a kind of fair was held. The government stores of rice, etc., were here sold to the insurgents at high prices. By this passage, too, came the deserters anxious to become good men, but many more entered by it into the city anxious to become bad. Here it was that the braves of the Tien Wang gambled with the soldiers of Chang Kwo-liang, and exchanged their spoils of silver for arms, powder, opium, and women. Sometimes the general would push his authority, and several

rebels would be taken and immediately executed, but these were generally such as had excited the hatred of their besiegers by cheating at play, or refusing to pay for favours received. The rebels always retaliated, so the loss was the same on both sides. Suddenly (in May 1860) a sortie was made from Nanking. The works were stormed and taken. Consternation siezed the Imperialist commanders, who fled before the coming storm. Seventy thousand of the Emperor's soldiers are reported immediately to have joined the rebels. Opposition melted away like a cloud. Like a flood the victorious insurgents rushed down the valley of the Grand Canal, and cities surrendered at the very sight of them.

The conditions among the rebels in Nanking during the spring of 1861 are described by Mr. Alexander Michie, who visited that city at the end of March. The English were keeping a close watch of proceedings and, accordingly, a copy of this letter was sent in April to Lord John Russell by Mr. Frederick Bruce, the newly appointed British Minister to Peking.

228. Conditions in Nanking, February, 1861

We stayed a week in Nanking, called by the present occupants Tien-king, or "Heavenly Capital". . . . I will now give you, in as few words as I can, my general conclusions respecting the Tae-ping rebellion, leaving details for another opportunity.

They don't in any way encourage trade, excepting in fire-arms and gunpowder. These, as well as steamers, they are anxious to buy. . . . The fact is they live on loot, and so long as they can loot they will neither work nor trade.

I found the internal condition of the rebels much better than I expected. They are extremely well dressed and well fed. The population of Nanking, entirely official, no ships or anything unconnected with the army or Administration being admitted within the gates, I estimate at under 20,000. Of this number very few are soldiers, the greater

Ruin of the city

part are captives and slaves from all parts of the country. . . . The city of Nanking, as well as the suburbs, the fine old tombs of the Ming Emperors, and the famous porcelain pagoda, are utterly destroyed. The walls are very high, twenty miles in circuit; but the once wide and well-paved streets are merely roads leading through heaps of bricks. The palaces of the Wangs stand conspicuous among the ruins. These are new; the old yamuns and temples, and the whole Tartar city,

having been destroyed. A few houses line the road here and there; but not in my opinion supplying accommodation for more than 20,000 people.

The Tien Wang has a large palace. His attendants are females, 300 in number, besides 68 wives allowed to his rank. He is never seen by any but the Kings, and his person is held sacred. He is, however, by no means a puppet, for it is he alone who keeps the movement together. There are ten or eleven Kings in all; but only two or three in Nanking. . . .

No hope for good from the rebels

I have no hope of any good ever coming of the rebel movement. No decent Chinaman will have anything to do with it. They do nothing but burn, murder, and destroy. They hardly profess anything beyond that. They are detested by all the country people, and even those in the city who are not of the "brethren" hate them. They have held Nanking eight years, and there is not a symptom of rebuilding it. Trade and industry are prohibited. Their land-taxes are three times heavier than those of the Imperialists; they adopt no measures to soothe and conciliate the people, nor do they act in any way as if they had a permanent interest in the soil. They don't care about the ordinary slow and sure sources of revenue; they look to plunder, and plunder alone, for subsistence, and I must say, I cannot see any elements of stability about them, nor anything which can claim our sympathy.

The missionary from whom the Tien Wang had received the teachings of the Christian religion was the Rev. I. J. Roberts. This gentleman spent fifteen months in the Taiping capital in the years 1861–1862. He was soon disgusted with what he saw but stayed on in the city, hoping to be able to accomplish some good. He was finally obliged to flee, after being insulted and threatened, and after a murderous attack upon his personal servant by the Kan Wang, or Shield Prince, in his own presence. Mr. Roberts was not allowed to see the Tien Wang himself.

229. Report of the Rev. I. J. Roberts on conditions in Nanking, 1861

*Nanking, December* 31, 1861.

As I have little to report, I will fill up my sheet by making some general and candid remarks, which I never expect to publish while living among this people. Whether they be published afterwards may be decided by circumstances.

The aspect of things here have two very different phases,—the one bright and promising, the other dark and unpromising; and unfortunately for me I had only anticipated the bright side; and hence have felt my disappointment the more in realizing the dark. The bright side consists chiefly in negatives, such as, no idolatry, no prostitution, no gambling, nor any kind of public immorality, allowed in the city. . . . But when we come to the religious aspect of this revolution, together with other evils both political and civil, we have a very dark side, which has grieved my very heart exceedingly, and often inclines me to leave them; but then I pity the poor people, who have immortal souls, and are really the sufferers, and greatly to be pitied for time and eternity.

Religious opinions of Taipings

1. As to the religious opinions of Tien Wang, which he propagates with great zeal, I believe them in the main abominable in the sight of God. In fact, I believe he is crazy, especially in religious matters, nor do I believe him soundly rational about anything. . . . He calls his son the young saviour of the world, and himself the real brother of Jesus Christ. As to the Holy Spirit, he seems to have left him out of his system of the Trinity, and to understand very little of his work in the conversion of men.

Their political system

Their political system is about as poor as their theology. I do not believe they have any organized Government, nor do they know enough about Government to make one, in my opinion. The whole affair seems to consist in martial law, and that, too, runs very much in the line of killing men, from the highest to the lowest, by all in authority. I became perfectly disgusted by the sights of slaughter. On the way from Soo-chow to Nanking in 1860, I saw from fifteen to twenty dead men on the way by the road-side, some of whom had just been murdered, not by their enemies, but from among their own people. . . .

Their treachery

Then they still disgusted and grieved me farther by setting traps to catch men and slay them. One was a proclamation that short-haired men should not come into the city. Ere they were aware, from fourteen to eighteen were caught in this trap and slain; perhaps some of them had never heard of the proclamation! . . . And to cap the climax, the other day two of the writers in the rooms below where I stay, when writing documents to Tien Wang, made a mistake of one character each; and they were both condemned by Tien Wang himself to be murdered, without even a hearing, and in three days were beheaded! This proves to my mind that he is crazy: nor can I believe that any good will arise out of the rule of such a wicked despot.

He wanted me to come here, but it was not to preach the Gospel of Jesus Christ and convert men and women to God, but to take office, and preach his dogmas, and convert foreigners to himself. I would as lief convert them to Mormonism, or any other *ism* which I believe unscriptural, and, so far, from the devil. I believe that in their heart they feel a real opposition to the Gospel, but for policy's sake they grant it toleration; yet I believe they intend to prevent its realization, at least, in the city of Nanking. . . . Nor have I seen any promise of success in my missionary labours, or any prospect of other missionaries being allowed to join me in the work of the Lord at this place. And hence I am making up my mind to leave them unless the prospects brighten up considerably to what they are at present. . . .

No real Christianity

The attitude of the foreigners in China and of their respective governments was a source of much discussion and confusion. Many favored the rebels on account of their supposedly Christian teachings during the early years; others felt that a native dynasty would be more friendly to foreigners and foreign trade. The Taipings themselves promised this. On the other hand, the later life of the Tien Wang himself, and the acts of his followers, seemed to prove that nothing could be expected from them and indeed that they were incapable of forming a real government even if they were successful. England and France were fighting the Manchus in the north in 1860, but gradually it became clear that they would aid the Imperialists in the south. The first real aid given was by an American, Frederick Townsend Ward. The beginning of his work is described here.

**230. Frederick Townsend Ward and the capture of Sungkiang**

It was now 1860,—the tenth year of the Rebellion. The "Celestial Prince,"—the Apostle of the "Heavenly Peace,"—held possession of Nanking. The capture of Shanghai was of the first necessity to him, for it controls the mouth of the Yang-tsze-Kiang, one of the three great rivers of the world, and its possession would open untold facilities for trade and supplies. For the moral effect its fall would have on the outer world, its value was unique. Repeated attempts had been made to invest and take the City; and the anxiety of the Imperial Government, and of the local community, quickened

with the advance of the Rebel hordes now swarming from the North. Patriotic Associations of Merchants and Bankers, the foreigner and the native with equal readiness, tendered their aid in support of the central authority, not so much that the foreign residents desired the aggrandizement of the Manchus, but rather because they saw all their material interests to be imperilled and even civilization itself to be at stake. They promptly offered money and gun-boats and artillery and enlisted drill-clubs for the defence of Shanghai . . . and they were pleased to observe that the gun-boats, when Ward was on board, lost no time in coming to close quarters with the Rebels.

This crisis found Ward acting as first officer of the American-built Gun-Boat "Confucius", commanded by an Englishman named Gough. The steamer was one of a considerable fleet of larger and smaller craft extemporised to meet the exigency by the business-men of Shanghai, whose mouth-piece in dealing with the Imperial Government was Taki,* a native Banker of great prominence and wealth. He was the confidential adviser of Li Hung Chang, then fast coming to the front, and the chief financial reliance of the authorities, both civil and military, in their desperate stress.

Ward meets Taki and makes an agreement

Ward's way to a career was now open. Through Captain Gough, he procured an introduction to Taki. The interview began with a financial proposal so startling that probably the proposal for the hand of the daughter, which was to come later, could not more profoundly have disturbed the smug composure of the Banker. Ward, in his straightforward manner, laid before Taki this offer: he would, for a large, stipulated price in hand, capture Sung Kiang, the capital city of the Shanghai district and a great Rebel stronghold not many miles up the river. Once in possession of Sung Kiang, he would establish there headquarters for operations by land and water, as a diversion for the relief of Shanghai. Such were the straits to which, at the moment, the great Emporium found itself reduced that this audacious proposal was accepted eagerly, and funds enough were furnished at once to make a beginning and to secure the enlistment and drill of a company of some hundred men. Recruits were readily enrolled, for Shanghai, at this troubled period, swarmed with the rabble of deserters and discharged seamen, from foreign naval and commercial fleets, ready for every venture, which infests a large port in time of threatened war. It was Ward's feeling that, properly fed and clothed, well

* Taki was the hong or firm name. His personal name was Yang Tze-tang [Ed. note].

equipped, and, above all, ably led, this rabble could be depended upon for a sort of warfare of which the Chinese Rebels had no thought. . . .

Capture of Sungiang

In June 1860, Ward with his little corps moved upon Sung Kiang. The great walled-town swarmed with the defiant horde who had once captured and then lost it and again recaptured it from the Manchus. Lacking artillery to effect a breach, Ward essayed to scale the walls, but the garrison had no difficulty in defending them. The remnant of his company, after a severe repulse, straggled back to Shanghai and was paid off and discharged. His next resource was the Manila-men always to be found at Shanghai, who are held to be the ablest of Asiatic seamen. One of the company recruited at this time . . . was Vincente Macanaya. . . .

Supported by two white officers and less than one hundred men, Ward succeeded, on his next attempt, in surprising by night the garrison of Sung Kiang, Macanaya leading a squad over the wall and reaching and throwing open one of the gates, thus admitting Ward with his little force. The plunder of this rich and populous City went, as perquisites, to swell, after the manner of Asiatic warfare, the promised pay, but Ward promptly received his contract price, and established head-quarters near the Confucian Temple in this defensible stronghold. At last he had a fortress to hold and his strong-box was at last in funds.

Ward's first "army" and his first success stirred the opposition of the English authorities in Shanghai largely because his force was composed of English deserters. The idea of forming a large force of Chinese who should use foreign tactics and be officered by foreigners appealed to him strongly. In September, 1861, he began the formation of the force which in March, 1862, by imperial decree received the title of "Ever-Victorious Army."

231. The beginning of the Ever-Victorious Army

Ward now changed his tactics. He abandoned the enlistment of deserters and turned his attention to recruiting a native force to be commanded by European officers and patiently drilled in the European School of Arms. To this project neither the Imperial Government of China nor its European allies, it seemed, could well except. Sung Kiang became an advanced Military School. English deserters, tempted by high pay, still served *sub rosa* as drill-masters. The Chinamen proved themselves proficient,—especially so

n artillery practice. The British authorities at Shanghai soon became alarmed at the growth of the movement and threatened interference. On a personal inspection of the Camp of Instruction at Sung Kiang to which he had been invited, Sir James Hope was well received by the troops and reported favorably. . . . He saw, for the first time in his life, a large force of native Chinamen paraded in European uniforms and showing themselves expert in European drill. In view of such results and of the possibilities which they disclosed, he found it best to wink at the harboring of a few deserters from his fleet, and Ward was promised every facility in his new attempt.

The conditions around Shanghai in August, 1862 when the Taipings made a sudden raid from Soochow and reached the Bubbling Well three miles from the water-front, are described in a letter written home by a young Irishman, Lieutenant Lyster of the Royal Engineers.

232. Conditions around Shanghai, August, 1862

I suppose you know all about the Taipings. They number about 100,000, and are nothing but a band of marauders. They come down on a village, rob it, slay all the inhabitants they can lay hold of, and then burn the place. We could see the smoke from the burning villages as soon as we got into the harbour on Sunday. When I got on shore I heard that the rebels were close to an advanced post of two companies of the 31st Regiment, stationed at Fah-wa, about five miles from here. They sent out a reinforcement of one hundred men in case the post should be attacked. I borrowed a horse and went with them. I never saw, or could have imagined, such a sight as I saw on the way. The road was covered with unfortunate creatures, who had been driven out of their homes by the Taipings. The poor women were in a most fearful state; there were numbers of them lying by the side of the road, some dead, and others dying from starvation and exhaustion. I was horrified then, but have become used to it now, as it is an every-day occurrence. I scarcely ever go into the country without seeing some poor people dead or dying.

When I got out to the post the rebels had retreated about four miles, and were amusing themselves burning villages in their usual style.

On the morning of the 27th, as the rebels were coming quite close to the town, another expedition went out to meet them. Gordon and I went with twenty-five sappers up a creek, in the hope of gaining possession of a bridge six miles

off, in order to cut off their retreat. The remainder of the troops went by a different route to try to take them by surprise, but the expedition was a failure, as it is impossible to get near the rebels unless you surround them.

They talk of another expedition, but I think we shall not do anything until General Staveley, who is in Japan, comes back ; then I hope we shall go at them in earnest, and take Nankin, their stronghold. . . .

Description of Ward

I was introduced to General Ward, the American, who is an officer in the service of the Chinese Government; in fact he has been made a mandarin; he is a quiet-looking little man, with very bright eyes, but is a regular fire-eater; he has saved £60,000. He is married to a Chinese.

There is a surplus population here now of 70,000 villagers driven in by the Taipings, which makes provisions very dear.

GENERAL WARD

General Frederick Ward, an American who fought against the Taipings and organized the "Ever Victorious Army," taken over by General Gordon after Ward's death.

At the time that the emperor conferred the title of "Ever-Victorious" upon Ward's army, he promoted the commander and organizer of the force to the rank of Chentai, or Brigadier General. The work that Ward did was very important but cannot be reviewed here. On September 21, 1862, at the taking of Tzekee not far from Ningpo, Ward was fatally wounded. On his death, Li Hung-chang memorialized the throne, praising the work of Ward and asking for special honors for him. The imperial rescript was received on the eighteenth day of the intercalary eighth month of the First Year of

the reign of the emperor Tung Chih. No foreigner has ever been honored by the Chinese as was Ward after his death.

**233. Rescript on the death of Ward**

Li Hung Chang in a memorial has acquainted Us of the death of Brigadier Ward, who perished from the effects of a bullet-wound received at the capture of Tsz-Ki, and has asked Our sanction for the building of a temple to him as a sincere expression of Our sorrow at his death. Ward was a native of the United States of America. Having desired to become a Chinese subject, and offered his services to Us; he joined the Imperial Troops at Shanghai and took Kading, Tai-Tsan, and Sung-Kiang, and later defeated the rebels at Ying-Kia-Ping, Tien-Mar-Shan, and other parts, in the district of Sung-Kiang. He also, in company with other foreign officers, destroyed the rebel fortifications at Kaou-Kieaou and elsewhere. We, admiring his repeated victories, had been pleased to confer upon him special marks of our favor, and to promote him to the rank of Futsiang gazetted for service.

According to the present memorial of Li Hung Chang, Ward, having learned of the designs upon Ning-Po of the Che-Kiang rebels who were in possession of Tsz-Ki, at once advanced with the Ever Victorious Army to destroy them. While in person conducting the movements he was fatally wounded in the chest by a rebel bullet fired from the top of the city wall. The bullet came out through his back. It grew dark to the General instantly, and he fell. The city of Tsz-Ki was already taken by his Ever Victorious Army. Ward returned to Ning-Po, where he died of his wound the next day.

We have read the memorial, and feel that Brigadier Ward, a man of heroic disposition, a soldier without dishonor, deserves our commendation and compassion. Li Hung Chang has already ordered Wu-Shi and others to attend to the proper rites of sepulture, and We now direct the two Prefects that special temples to his memory be built at Ning-Po and Sung-Kiang. Let this case still be submitted to the Board of Rites, who will propose to Us further honors so as to show our extraordinary consideration towards him, and also that his loyal spirit may rest in peace. This from the Emperor! Respect it!

Mr. Anson Burlingame, the first American Minister to reside in Peking, wrote to the Secretary of State, Mr. Seward, concerning the death of General Ward. This was but a little over three months after Mr. Burlingame's arrival in Peking.

Legation of the United States,
Peking, Oct. 27, 1862.

234. Mr. Burlingame to Mr. Seward: The death of Ward

Sir:—It is my painful duty to inform you of the death of General Ward, an American, who had risen by his capacity and courage to the highest rank in the Chinese service. He was shot and mortally wounded while reconnoitering, before its capture, Tsz-Ki, a place near Ning-po. The incidents attending his wound and death please find in the edict of the Emperor.

General Ward was originally from Salem, Massachusetts, where he has relatives still living, and had seen service in Mexico, the Crimea, and, he was sorry to say, with the notorious Walker.

He fought at the head of a Chinese force called into existence and trained by himself, countless battles, and always with success.

Indeed, he taught the Chinese their strength, and laid the foundations of the only force with which their government can hope to defeat the rebellion.

Before General Ward died, when on board of her Majesty's steamer "Hardy," he made his will, and named Admiral Sir James Hope and myself his executors.

In a letter communicating the fact to me, Sir James writes:

"I am sure you will be much grieved to hear of poor Ward's death.

Admiral Hope's characterization of Ward

"The Chinese government have lost a very able and gallant servant, who has rendered them much faithful service, and whom it will not be easy for them to replace."

On account of my absence from Shanghai, I shall authorize our consul, George F. Seward, Esq., to act for me.

General Ward was a man of great wealth, and in a letter to me, the last probably he ever wrote, he proposed through me to contribute ten thousand taels to the government of the United States, to aid in maintaining the Union, but before I could respond to his patriotic letter he died.

Let this wish, though unexecuted, find worthy record in the archives of his native land, to show that neither self-exile nor foreign service, nor the incidents of a stormy life, could extinguish from the breast of this wandering child of the republic the fires of a truly loyal heart. . . .

Anson Burlingame.

Hon. William H. Seward,
*Secretary of State, Washington.*

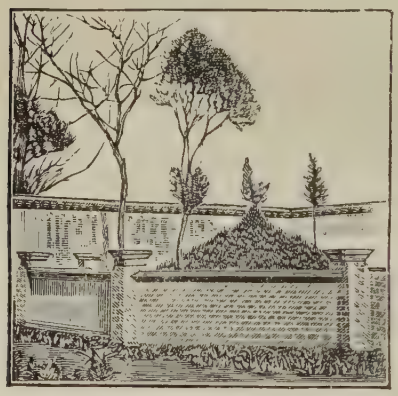
General Ward's grave is in Sungkiang, the scene of his first victory. On March 10, 1877, a memorial

hall was dedicated. This stands in front of the grave. Columns at the right and left of the entrance to the shrine, at which incense is burned to honor Ward's spirit, bear the following inscriptions :

235. Inscriptions on columns near Ward's tomb

"A wonderful hero from beyond the seas, the fame of whose deserving loyalty reaches round the world, has sprinkled China with his azure blood."

"A happy seat among the clouds" (the ancient name of Sungkiang means, among the clouds) "and Temples standing for a thousand Springs, make known to all his faithful heart."



TOMB ERECTED BY CHINESE IN HONOR OF WARD

This tomb, erected by the Chinese in honor of Ward, is outside the West Gate, Sungkiang. Ward died from a wound, Sept. 21, 1862. A tablet at his tomb sets forth his praises : "An illustrious man from beyond the seas ; he came 6,000 *li* to accomplish great deeds and acquire an immortal fame by shedding his blood. Because of him Sungkiang shall be a happy land for a thousand autumns. This temple and tablet shall witness to his generous spirit."

An account of the Ever-Victorious Army from the Taiping side is of interest. This we find in the Chung Wang's autobiography. The time referred to by him was that in which that force was under the leadership of Major Charles George Gordon,—"Chinese" Gordon, as he came to be called,—a brilliant military leader, quixotic and a mystic. Under him the work begun by Ward was carried to a successful conclusion.

236. The Loyal Prince's account of the Ever-Victorious Army

Four months after my return to Soo-chow in 1862, Li-hung-chang, who arrived at Shanghai and succeeded Hsuen-huan as Provincial Governor, procured some foreign devils to meet our troops in the field. Having a good Customs House at Shanghai, the receipts of which furnished him with

COLONEL GORDON

ample finances, he was in a position to obtain devil soldiers to operate against me, and hence sent them to Ka-ding, Tsing-poo, Tai-ts'ang and K'un-shan (Quinsan). Their strength being somewhat formidable I could see no other plan open but that of selecting about 10,000 well disciplined and able bodied men and marching against them in person. The onslaught of the devils upon a city was very fierce, and they usually accomplished their work in 10 or 12 hours. Their guns were exceedingly powerful and every one of their shots took effect. (Lit.—one hundred sent forth, one hundred struck.) They would first open fire along their lines and then under cover of this would make a bold dash for the city.

Ka-ding and Tsing-poo being more than 33 miles from Soo-chow I was unable to rescue either of the cities. The devils (after this success) then went on to Tai-tsang and with the assistance of the Imperialist army they forced an entrance. The gates of the city were then taken possession of by the devils and the Imperialist soldiers prevented from looting, though the devils themselves did not scruple to take away whatever men and women they liked, the Imperialists not daring to say anything to them. The devils told the soldiers that any random assertions made would bring summary vengeance on the offender whether he was a high or low official. (Union in the cause of law and order displayed.) The Tien-Wang was unwilling to employ devils for this very reason (that they would be too overbearing and only seek to gratify themselves).

Fancy, having 1,000 devils keeping in subjection my 10,000 men! Who could put up with such a thing?

Battle of T'ai-tsang

The devils reached T'ai-tsang and so did I. The Imperialist force which had come from Shanghai, Tsing-poo, Ka-ding and Pao-shan consisted of about 10,000 men occupying 100 entrenched camps outside the city, and these were supported by three or four thousand devils' troops. The cities which had been already taken were garrisoned by the devils.

On my arrival at T'ai-tsang our forces engaged in battle and fought an indecisive engagement from 7 in the morning till noon, neither side being able to claim a victory and both sides losing about 1,000 men.

On the following morning we had a second struggle at the East Gate for about three hours, from 7 till 10, when we forced the devils' centre, killed several hundred of them and pursued the remainder, many of whom were ultimately drowned. We then carried 30 Imperialist stockades, and the fruits of our victory were several cannon and several stand of arms. [Ka-ding and Tsing-poo also were taken, and the Chung-Wang was able] . . . to complete the investment of Sung-kiang, nay, I was on the point of gaining the desired success when news was received that General Tseng had taken Wu-hu, Ch'ao-sien, Wu-wei, Yun-ts'ao and the East and West Pillars. As the bamboo when once split, splits easily all the way down, T'ai-p'ing and Ho-chow had likewise fallen. These successes had been followed up and General Tseng was now investing the capital.* The Tien-Wang sent three messengers in one day to urge me to return. . . .

The disasters at Soo-chow and Chang-chow were occasioned by the mischief of foreign devils in the pay of

* Nanking [Ed. note].

Li-fu-tai, who had engaged them to take my cities. The sight of money made the devils reckless of their lives, and Li-fu-tai, knowing that I was not in the city of Soo-chow, availed himself of my absence to attack it. Had I not been compelled to come to the heavenly capital (Nanking) and to cross over the river, he (Li) would have found it impossible to take the city. I really had no desire to come to the capital, and my words to the Tien-Wang, when there, were, "The capital cannot be held. General Tseng has securely besieged the place, the city is deficient in daily necessaries, and outside there is no prospect of any rescue, let them have the city and retire elsewhere." The Tien-Wang was in great wrath and severely reproved me, I was obliged therefore to kneel before him and again enter into matters, continuing my advice with, "If you will not assent to my proposal, the lives of the whole city will be endangered. . . . If you do not adopt the measure I propose, complete extermination will assuredly take place." At the end of this the Tien-Wang again poured out the vials of his indignation on me. Addressing me he said, "I have received the commands of Shangti and Jesus to come down upon the earth and rule the empire. I am the sole Lord of ten thousand nations, and what should I fear? . . . The empire, hills and streams, I hold with an iron grasp, and if you do not support me there are those that will. You say 'these are no soldiers.' My heavenly troops are more numerous than the water. What fear have I of the demon Tseng? . . ." As soon as he had finished his opprobrious speech I said to him, "Let me pray the Tien-Wang to kill me now, in order that I may escape injury at some future day. Not half a moment's leisure have I enjoyed during my period of service, and now because I bring to your notice the real state of affairs you revile me in this way. I am ready to yield up my life in your presence . . . as an earnest of my zeal and loyalty in your cause."

Chung Wang's advice to Tien Wang

The year 1864 saw the real end of the Rebellion, although it was not until the next year that all the rebels were scattered and the entire movement ended. There were three main sources of attack in 1863–1864: that of Gordon on Soochow, that of Tseng Kwo-fan on Nanking, and that of a Franco-Chinese force organized by A. E. Le Brethon de Caligny, of the French navy, and Prosper Giquel in 1862· and which in 1864 was using Ningpo as a base.

Soochow surrendered on December 4, 1863. On the next day, Li Hung-chang ordered the decapitation of the Taiping Wangs, who had been in control of the city. Gordon had considered them as prisoners of war and was shocked and angered at their execution. How the fall of Soochow and the resultant executions appeared to a Westerner is shown by letters written at the time by Lieutenant Lyster.

**237. The fall of Soochow**

Shanghai, *December* 7, 1863.

The latest news in Shanghai is of the taking of Souchow by Major Gordon's force. This town was the greatest stronghold of the Taipings, and is the strategical key to Shanghai. It was taken without much loss, as the rebel chiefs had a dissension amongst themselves; they beheaded their king and then handed over the town. It would have soon fallen under any circumstances, as Major Gordon had it invested on all sides. Every one here is delighted at his success. He is a splendid fellow; his conduct since he took the command has been most magnanimous, and cannot fail to show the natives what an honorable English officer is. He refused all rewards and extra pay, and in a pecuniary point of view he has not at all benefited by his command. . . .

Shanghai, *December* 20, 1863.

There are many events occurring here, most of which you see mentioned in the papers, of course. You will have heard before this that Major Gordon has taken Souchow, and only for the treachery of the Fontai,* who murdered the Kings of Souchow after they had surrendered, he would by this time have taken Nankin and put an end to the Taiping rebellion, which has lasted over ten years. The Ching Wang,† or King of Nankin, is, we hear, willing to come over to the Imperialists, but dare not do so, and now that the Fontai has behaved so treacherously to the kings of Souchow, there is no chance of Nankin coming over. At present Major Gordon has refused to fight for the Fontai, and has separated from him. . . .

On the 6th of January, 1864, he writes . . .:—

. . . Gordon, since he has taken Souchow, has been holding command of the disciplined Chinese at Quinsan, but has

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* Li Hung-chang [Ed. note].

† I. e., Loyal Prince [Ed. note].

refused allegiance to the Chinese authorities. When Souchow surrendered, the kings and inhabitants were promised their lives by the Fontai through Gordon. The Fontai broke his word, and since then Gordon has held command of the force, but won't acknowledge the Fontai. Meanwhile the whole matter has been referred to Pekin, where of course it will be decided in the Fontai's favour. Then comes the rub—will Gordon give up the command? and if so, what will become of the force? They will never disband quietly; they are too strong for that. They will either continue under the Chinese with a new commander, or join the rebels. If they decide on the former, they will in a short time have a rupture on account of payment, &c., and may set up on their own account. It is impossible to foresee what may occur in China this year. The present Government is very weak and cannot last long. If Gordon liked, he could dethrone the Emperor and start a new dynasty, if foreign powers did not interfere.

Gordon's position

The action of Li Hung-chang in ordering the execution of the Taiping princes received at the time much criticism and has often been discussed in later years. Perhaps there is no better balanced presentation of the case than that of Mr. Andrew Wilson in his *Ever-Victorious Army*, which is based largely on Major Gordon's *Private Journal and Correspondence.*

238. The execution of the Taiping princes

We must now return to the fate of the Tai-ping Wangs, and to the reasons which induced the Futai to execute them as he did. On the first view his conduct appears inexcusable, and he is specially to be reprobated for the use he seems to have made of Colonel Gordon in inducing the Chiefs to surrender, as also for the great danger to which he exposed that officer; but his action in the matter was not so bad as at first appeared, and can be palliated, if not entirely excused. Three vindications of the Futai* have been put forward—one by himself; one by Prince Kung, the head of the Foreign Board at Peking; a third by a body of Chinese who called themselves "The Soochow Committee for the Protection of the Defenceless,"—and all these are interesting as illustrative of Chinese ideas. According to this side of the question, the Tai-ping Chiefs surrendered on the simple

* Li Hung-chang [Ed. note].

LI HUNG-CHANG

condition that their lives would be spared, and from the moment of their submission became subjects of the Empire amenable to all its laws. But when they came out to the Futai they had not yet shaved their heads; they still wore their arms, and their "general bearing was marked by extreme ferocity," being rather that of men who had terms to dictate than of penitent insurgents who had just been allowed to participate in an act of clemency. They insisted that the guardianship of Soochow should be left in their hands, that all the soldiers then under their command should be placed at their disposal, and declared that, if these conditions were not complied with, they would not return to their allegiance. They also refused to disband their followers, stated their intention of holding three of the city gates which were strongly fortified positions, and demanded pay for their troops. Such a menacing and intimidating attitude was wholly unexpected, and could not be met by breaking off negotiations, or permitting the Wangs to return in safety to the city. To have allowed them to do so, or even to have given them the slightest warning of noncompliance with their demands, would have resulted in an immediate catastrophe. "If the Wangs," says Prince Kung, "had not been promptly beheaded,

**Attitude and demands of the princes**

**Li's difficult position**

not only would the Imperial soldiers in the city have been slaughtered to a man, but the enormous force under the command of these Chiefs would still have remained within the Rebel ranks, and a subsequent and much greater slaughter would have been unavoidable; and violence would thus have been done to the beneficent principle of Heaven and Earth, which delights to create, and is opposed to destruction."

There is something peculiarly Chinese in the argument that the Wangs, having once submitted, were bound to be obedient to the Futai and so were liable to be put to death for their insolent rebellious conduct towards him; but, passing that, the other portion of the excuse put forward seems sufficient if it could only be satisfactorily proved that the Wangs really did make the demands imputed to them. There is no reason, however, to suppose that this portion of the Futai's statement is untrue; on the contrary, we may assume the truth of it, because on no previous occasion had he been guilty of treachery to Tai-ping Chiefs who surrendered to him, and he might have turned the Nan Wang to very good use. Assuming, then, that the Wangs acted as alleged, what was the Futai to do? At Taitsan, as we have previously mentioned, the Tai-pings had once already cheated the Futai, and managed to murder a number of his troops under cover of a proposed surrender. Had he refused to comply with their demands and allowed them to re-enter Soochow, the almost certain result would have been the immediate massacre of the Imperialists who had entered the city, together with an attack on his troops outside the walls, who, scattered, unprepared, and unsupported by Gordon's force, which had gone to Quinsan, would have been easily cut up and dispersed. To have arrested them and kept them in confinement would have been a troublesome operation, which might have given the other Chiefs warning of what was going on and allowed them time to close the city gates, and so cut off the Imperialists inside the city from those who were without. Li was in a very difficult and critical position, which imperatively demanded sudden unpremeditated action; and though no doubt it would have been more honourable for him to have made the Wangs prisoners, he cannot, in the circumstances, be with justice severely censured for having ordered the Tai-ping Chiefs who were in his power, but who defied his authority, to be immediately killed. It is also certain that Colonel Gordon need not have been in a hurry to consider himself as at all responsible for this almost necessary act, because in a letter to him . . . the 2nd November 1863, I find the following noteworthy passage, which shows that the Governor did not wish Gordon to interfere at all in regard to the capitulation of the Soochow Chiefs: "With

respect to Moh Wang and other Rebel leaders' proposal, I am quite satisfied that you have determined in no way to interfere. Let Ching look after their treacherous and cunning management."

## *Section 39. The End of the Rebellion*

The siege of Nanking was being carried on without the aid of foreigners at the time that Soochow surrendered. All need not yet necessarily have been lost had the Chung Wang received the support of the Tien Wang. The latter was a very different person from the leader of the movement in its early days. Power had not brought out the best in him; in trying to live up to his position as the chosen of Heaven he showed only weakness. The Chung Wang was faithful to the end, but when the end had come and passed he was frank in his criticism of his late ruler.

**239. The incompetence of the Tien Wang**

The Chief gave himself no concern about either the nation or the people, but buried in the recesses of his palace he never left the palace gate. When one proceeded to memorialise him upon internal affairs and to make suggestions pertinent to the preservation of the kingdom, he would invariably greet you with assertions about heaven and earth—subjects totally irrelevant to the main argument or point in view. He not only refrained from taking any active part in the government but he did not even engage anyone to look after matters, hence each man carried on his own work, and things went on the same as usual. . . .

**Conditions in Nanking**

. . . The wealthy people alone in Nanking had food to eat, the destitute and distressed males and females all came round me and prayed me to succour them. Utterly at a loss what to do, I complained to the Tien-Wang of this difficulty and entreated him to issue a decree with suggestions to meet it, to the end that tranquillity might be somewhat restored to the public mind. The decree was that they should eat "sweet dew" in order to support themselves, upon which I asked "How can they subsist on sweet dew?" The Tien-Wang then said, "Let them take of the things which the earth brings forth,"—this, it appears, was what he called "sweet dew." In concert with others I then represented that such was not a fit article for food, upon which the Tien-Wang

observed, "Bring some here and after preparing it I will partake of some first." No one, however, complying with this he gathered several herbs from his own palace garden and having made them up into a ball, he sent the ball outside with orders to the people to prepare their food in like manner. The Tien-Wang . . . after he had entered Nanking, and established his reigning title, he considered it *infra dig.* to show any failing. . . . He reposed solely in heaven, and was very scrupulous as to putting confidence in man. . . . . The destitute and starving males and females were constantly clinging round me to relieve them, and praying me to succour them—a request which I had not the means to meet. In the 7th and 8th months of the 13th year, when I had money and rice, I was able to contribute to their relief, and at that time had a list of seventy or eighty thousand poor people to whom were distributed 20 dollars and (or) 2 piculs of rice. . . . In the 12th month of the last year (Jan. 1864) I was obliged to discontinue the distributions, as I was in distress myself and had neither funds nor rice. Soo-chow and Hang-chow had left us, and the capital was so closely beleaguered that it was impossible for it to hold out long. The Tien-Wang was unwilling to retire from the city and nothing could be done. . . . I therefore represented to the Tien-Wang the state of affairs and advised him to allow the people to leave the city, but this he would not consent to do, and rebuked me with, "Dare you, without considering the nation's dignity, let any of my brothers and sisters out of the city? . . . You are not wanted to say anything.". . . The Tien-Wang rested implicit faith in idle words and would not rectify or improve the state. Thieves and robbers sprung up in the city, the nights were disturbed with incessant cannonading inside the city, and murders and pillages of whole familes took place. These were fatal omens and indication of coming destruction. . . . When General Tseng drew his lines closer round the city, a severe mandate was issued by the Tien-Wang to the effect that any one holding treacherous correspondence with the enemy, and any one failing to report the fact . . . should be . . . either pounded to pieces or flayed alive. Who was not afraid of death in this form?

**Change in the Tien Wang after taking of Nanking**

**Chung Wang's advice**

The city was stormed on July 19, 1864, and the end of the Rebellion was in sight. The last stand was made at Changchow-fu, in May, 1865. The Tien Wang committed suicide on June 30, less than a month before Tseng Kwo-fan and his forces sacked the city. The Loyal

Prince could have escaped had he not stopped to try to save the son of the Tien Wang.

240. The fall of Nanking

. . . It was either at the end of the 4th month, or probably at the commencement of the 5th, when I was in charge of the east gate, that General Tseng sprung several mines all round. This caused the Tien-Wang much anxiety and trouble of mind, and eventually so preyed upon him that on the 30th June* he poisoned himself. This event led Tseng to press the city still more, and no hope was left of its being able to hold out.

After the death of the Tien-Wang his eldest son Hung-fu-t'ien ascended the throne, in order to quiet the public mind. General Tseng had excavated mines in such numbers of places from the East to the South gates, that it was impossible to guard every one of them. In addition to this, two breaches were made in the Shen-ts'e gate which considerably increased the difficulty. The new Sovereign was but a youth, unacquainted with state affairs, and with no intellectual genius sufficient to cope with difficulty. The city was each day more closely beleaguered, and this state of affairs went on till the 8th July, when it became evident to us that some demonstration must be made, as the city was then on the point of falling. Under cover of the night we made a sortie from the city, and attacked Tseng's position, but without success. It was plain to me that the city could not be held, and hence our men were kept under arms all night, ready for any emergency, and in the morning as soon as it was light they returned to their quarters. General Tseng having however observed the men in the city dispersing, from his eminence on Tzu-chin hill, then fired his mine, and his troops stormed the city from the Tzu-chin and Dragon's neck hills.

They entered the city on all sides and our men were unable to check them. The garrison of Chung-kuan and our other forts outside, when they saw the city lost, either surrendered, ran away or were killed.

When the city fell all came round me with tears in their eyes. After my defeat at the Tai-ping gate I returned to the Palace gate, where the Young King, together with the other two sons of the Tien-Wang, came to me and asked me what was to be done. I was at this time in a great dilemma and really at a loss how to proceed, and was obliged to discard attention to all save the Young King. To him I gave my war-horse (pony) as he was without one, and rode myself

The Chung Wang's flight

* 1864 [Ed. note].

a weak and useless animal. We rode straight to my mother's house in order that I might first bid adieu to its tenant and my other relations. They were all weighed down with grief at my departure, but I was obliged to leave them, and pursuing my way with my companion to Ch'ing-liang Hill we there endeavoured to conceal ourselves. . . . Though the Tien-Wang's days had been fulfilled, the nation injured through others baffling and deceiving him, and the state lost, still, as I had received his favours, I could not do otherwise than evince my faithfulness by endeavouring to save his son. . . . we determined to brave death in our last attempt to get out, and at one in the morning I sallied out with the Young Lord, followed by a few hundreds of our guards, forced my way out of the city. The camps that we passed were found to be in most formidable array, and all of them defended by high parapets and deep fosses. . . .

Tseng's cavalry then came in pursuit of us, and I was parted from the Young Lord. As he had never ridden before, and had never been subject to alarm or fright it is more than probable that he was cut up. The pursuing cavalry would have cut him up on the road without being aware that he was the Young Lord. How could they tell who the youth was? After I had parted with the Young Lord my pony was unable to go, for in addition to its not being a war pony, it had already been used during a whole day's battle, and was weary. . . . Had I retained my own pony I should have undoubtedly have got away. I took refuge in a ruined temple on the Huang hill, but the people at the foot of the hill knowing that Nan-king had fallen, and there was sure to be some one lurking there, were bent upon making gain and eventually sealed my fate. I was finally taken by the pursuing cavalry of General Tseng and brought here.

Joint memorials of Tseng Kwo-fan and his leaders describe the taking of the capital, which had been held by the Taipings for eleven years. They tell also of the end of the greatest of the Taipings: the Chung Wang. Less than three weeks after the fall of his ruler's city, and after having been given time especially for the writing of an account of the Rebellion,—a work of about fifty-five thousand words completed in eight days,—the Loyal Prince was beheaded. Thousands who had not dared to gaze on him alive now had a chance to see

the head of the man who, more than any other, distinguished himself on the side of the Taipings.

241. Memorials on the fall of Nanking

At 1 A. M. the so-called Chung-Wang having issued orders to fire the so-called Tien-Wang's palace, and the other palaces in the city, they all burst out into flame simultaneously, the gunpowder smoke darted up in a cloud and the smoke and flame from the burning buildings filled the city. . . . No less than several hundred of the palace (female) attendants hanged themselves in the front garden, whilst the number of rebels that were drowned (or died) in the city moat exceeded 2,000. The fire in the city was too great at this time to allow of any advance, and the rebels had blockaded the principal thoroughfares with bonfires, so that our troops, being unable to find their way in the city at night, then withdrew to their proper position. . . .

Slaughter in the city

On the 17th and 18th, Tseng-liang-tso with others searched through the city for any rebels they could find, and in three days killed over 100,000 men. The Chin-huai creek was filled with bodies. Half the so-called princes and generals were killed in battle and the other half either drowned themselves in the dykes and lakes or else burned themselves. The whole of them numbered about 3,000 men. The fire in the city raged for three days and nights, and on the 19th there were still some rebels lurking in garrets and keeping up a desultory fire on the troops. . . .

Tseng-kuo-chien in his dispatch, remarks that it must cause any one grief to reflect that, during this siege of two years and upwards, no less than 10,000 men have fallen victims to sickness, and 8,000 or 9,000 have been killed in battle. . . . Your servants find that the rebel Hung* has now been in rebellion 15 years, and in possession of Nanking 12 years, injuring people on all sides he had stirred up the wrath of both gods and men. . . . The present rebellion of the Canton rebels has caused devastation in 16 provinces and not less than 600 cities. Amongst their leaders were men of a most desperate class . . . [who] held on to the last without submitting. Again not one of the 10,000 rebels in Nan-king surrendered themselves when the city was taken, but in many cases destroyed themselves and passed away without repentance. Such a formidable band of rebels has been rarely known from ancient times to the present. . . .

A respectful memorial.

T'ung-chih 3rd year, 6th moon, 23rd day (July 26th, 1864).

* I. e., the Tien Wang [Ed. note].

Treatment of the Tien Wang's corpse

The officers and soldiers, on account of the anger and wrath that had grown up in them were unanimous in their desire to obtain the corpse of the so-called Tien-Wang, Hung-siu-tseuen, in order to comfort themselves. It was not until the 27th of the 6th moon (July 30th), that that rebel's remains were found. They were exhumed from the so-styled palace on that day and on the 28th were brought to your servant's quarters. The body was inspected by your servant, Kuo-ch'ien, and three officers who had filled posts in the Autumn Court of the Board of Punishments. The various civil and military officers were likewise allowed to see it.

The rebel's corpse had, in accordance with his false religion, not been put into a coffin but was enveloped in yellow satin embroidered with dragons, and even the bottoms of his trousers were embroidered in the same way. His head was bald, without hair, his moustache remained but had become grey, and there was flesh on the left thigh and right shoulder. As soon as the examination had been concluded the head was severed and the remainder of the body, after being cut up, was finally burnt. . . .

Death of the Chung Wang

With reference to Li-siu-chêng,* many of the soldiers who had once been with the rebels, and the people dwelling near the city, were called to look at him and all recognized him. . . . Your servant therefore consulted the matter over with his brother Kuo-ch'ien and finding his views agree entirely with his own, ventured to inflict the extreme punishment of the law upon Li-siu-chêng on the 6th of the 7th month (Aug. 7th) and to send his head round to the various cities in order to gratify the public mind. . . . The site of the so-called Tien-Wang's palace is that formerly occupied by the Governor General's Yamun, but not a tile of it remains. . . . A respectful memorial.

Hienfeng did not live to see the suppression of the Rebellion which had started before his accession. The following document was issued in the name of his infant son, the emperor Tung Chih.

242. Imperial edict announcing the overthrow of the Taipings

At the period when His Majesty the late Emperor came to the throne, it happened that the Canton rebels had risen in insurrection and spread devastation through many cities. The army was at once put in motion in order to carry out the dictates of heaven; but, although many desperate rebels

* I. e., the Chung Wang, or Loyal Prince.

were extirpated, nevertheless their influence diffused itself around, and it was found impossible at once to put them down. Our Imperial Sire was filled with anguish and care day and night, and his thoughts were ever occupied with the extermination of the thieves and the comfort of his people. In mournful anxiety he looked forward to (the announcement of) victory.

When in the eleventh year of Heen-fung, he sped upward on the dragon to be a guest on high. In his last decree and testament, he even then adverted to the state of disquiet still prevalent in the Southeast, and that his people were being driven hither and thither and compelled to fly in all directions. The sainted anxiety was ever troubled.

On Our accession to the important charge laid upon Us, We cried unto heaven in bitter agony, and day by day did We watch for the annihilation of the great ringleader, that so the boundaries of the empire might be restored to peace and the yet unfulfilled will of Our Imperial Sire be accomplished. The two Empresses Dowager gave their disinterested attention to the numerous state matters, and instructed and nurtured Ourself. They were ever looking for victorious news, from night till morning and from morning till night successively.

Kuan-wun and Tsung Kwo-fan having now, on the 29th of this month announced a victory and the recovery of Nan-king, We feel grateful to Our departed Sire for the means left behind him, which have stimulated Us to complete this great work, and to celebrate the fame of Our ancestors. But in the midst of Our joy and gratitude We are weighed down with excessive grief. We have purposed to proceed Ourself to the sarcophagus of the departed Emperor and there pour out Our tribute of grief and affection over the departed remains; but the Empresses Dowager fearing that, as the Autumn crops are now in a flourishing state, and that the number of carriages etc., forming Our escort along the Imperial path, will be sure to tread down the people's labor, and moreover, that the repair and filling in of the road will seriously disturb the people, have directed Us to appoint the Prince of Shun, Yi-huan, to proceed to the Shrine of Glorious Happiness, the resting-place of the coffin, and before the communion table in front of it perform the necessary ceremonies on Our behalf, and respectfully announce the victorious news.

Respect this!

A faint idea of the devastation and suffering caused by the Taiping Rebellion may be gathered from an account

of the city of Chinkiang. In November, 1858, after signing the new tariff and rules for trade agreement in Shanghai, Lord Elgin left for a trip to Hankow on the Yangtze River. He and his suite stopped at Chinkiang, and one of his friends wrote his impressions of the place. This is but one of hundreds of towns and cities that suffered; little wonder is it that the mounds of ruins are to be seen in many cities to the present day.

243. Devastation of the Taipings

Landed on the right bank, and walked to Chinkiang over about two miles of plain, intersected by the remains of rough earthworks. This strip of level ground, which intervenes between a range of hills and the river, was until recently the abode of a thriving and industrious population. Scarce a year has elapsed since it was a scene of violence and bloodshed, the theatre of an action between the Rebel and Imperialist forces. The devastation is now widespread and complete. A few of the peasantry have crawled back to the desolate spots which they recognise as the sites of their former homes, and, selecting the heaps of rubbish which still belong to them, have commenced to construct out of them wretched abodes,—roughly thatching in a gable-end that has escaped the general destruction, or replacing the stones which once composed the walls with strips of matting. Miserable patches of garden were being brought into existence between the crumbling, weed-covered walls; but the destitute appearance of the scanty population served rather to increase than diminish the effect which this abomination of desolation was calculated to produce.

We entered the city by the north gate, and might have imagined ourselves in Pompeii. We walked along deserted streets, between roofless houses, and walls overgrown with rank, tangled weeds; heaps of rubbish blocked up the thoroughfares, but they obstructed nobody. There was something oppressive in the universal stillness; and we almost felt refreshed by a foul odour which greeted our nostrils, and warned us that we had approached an inhabited street.

At a spot where a few chow-chow shops, and two partially inhabited streets crossed each other, was the most lively place in the town. We obtained a small share of interest here from a mob of hungry, ragged boys; but the people generally seemed too much depressed even to stare at a barbarian, and we strolled unmolested in any direction our fancy led us.

On our way to a fort which crowned a bluff overhanging the river, we passed under some handsome stone arches, which

were still standing conspicuous amid the desolation by which they were surrounded. From our elevated position we commanded an extensive view over the area enclosed by the walls of the city, and which was thickly strewn with its ruins. . . . The population of Chinkiang was formerly estimated at about 500,000, it does not now probably contain above 500 souls.

The meaning of the Rebellion and its effect on the country have been well summed up and a dispassionate judgment pronounced by one who had long acquaintance with China in both religious and diplomatic work. Dr. Samuel Wells Williams was the second American missionary to work in China. When he arrived in Canton in 1833 his colleagues were Morrison and Bridgman. He worked with the latter on the *Chinese Repository*. For twenty years (1856–1876) he was Secretary of the American Legation. He had wide knowledge of and deep sympathy with the Chinese people. His pronouncement on the great Rebellion is therefore worthy of note.

244. Judgment of the Rebellion

Fifteen years had elapsed since he* had set up his standard of revolt in Kwangsi, and now there was nothing to show as a return for the awful carnage and misery that had ensued from his efforts. No new ideas concerning God or his redemption for mankind had been set forth or illustrated by the teachings or practices of the Taiping leader or any of his followers, nor did they ever take any practical measures to call in foreign aid to assist in developing even the Christianity they professed. True the Kan Wang called Mr. Roberts to Nanking, but instead of consulting with him as to the establishment of schools, opening chapels, preparing books, or organizing any kind of religious or benevolent work to further the welfare of his adherents, the Tien Wang did not even grant an interview to the missionary, who, on his part, was glad to escape with his life to Shanghai.

The Taipings were lacking in religious truth

If this rebellion practically exhibited no religious truth to the educated mind of China, it was not for lack of publications setting forth the beliefs its leaders had drawn from the Bible, or for laws sanctioned by severe penalties, both of which were scattered through the land. Dr. Medhurst's careful translations of these tracts has preserved them, so

*I. e., the Tien-Wang [Ed. note].

that the entire disregard manifested by the new sect of their plainest injunctions may be at once seen. The strong expectations of the friends of China for its regeneration through the success of Hung Siu-tsuen, would not have been indulged if they had better known the inner workings of his own mind and the flagitious conduct of his lieutenants.

Lacking in political ability

In his political aspirations the Tien Wang entertained no new principle of government, for he knew nothing of other lands, their jurisprudence or their polity, and wisely enough held his followers to such legislation as they were familiar with. They all probably expected to alter affairs to their liking when they had settled in Peking. But if this mysterious iconoclast had really any ideas above those of an enthusiast . . . he must have lamented his folly as he reviewed its results to his country.

Extent of the Rebellion

The once peaceful and populous parts of the nine great provinces through which his hordes passed have hardly yet* begun to be restored to their previous condition. Ruined cities, desolated towns, and heaps of rubbish still mark their course from Kwangsi to Tientsin, a distance of two thousand miles, the efforts at restoration only making the contrast more apparent. Their presence was an unmitigated scourge, attended by nothing but disaster from beginning to end, without the least effort on their part to rebuild what had been destroyed, to protect what was left, or to repay what had been stolen. Wild beasts roamed at large over the land after their departure, and made their dens in the deserted towns; the pheasant's whirr resounded where the hum of busy populations had ceased, and weeds or jungle covered the ground once tilled with patient industry. Besides millions upon millions of taels irrecoverably lost and destroyed, and the misery, sickness, and starvation which were endured by the survivors, it has been estimated by foreigners living at Shanghai that, during the whole period from 1851 to 1865, fully twenty millions of human beings were destroyed in connection with the Tai-ping rebellion.

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** T. T. MEADOWS, *Desultory Notes on the Government and People of China* (London, 1847); MEADOWS, *The Chinese and Their Rebellions* (London, 1856); J. M. MACKIE, *The Life of Tai-ping-wang, Chief of the Chinese Insurrection* (New York, 1857); J. O. P. BLAND AND E. BACKHOUSE, *China Under the Empress Dowager* (London, 1910); T. W. BLAKISTON, *Five Months on the Yang-Tsze . . . and Notices of the Present Rebel-*

* 1882 [Ed. note].

*lions in China* (London, 1862); WHEELER, *The Foreigner in China*; CALLERY AND YVAN, *History of the Insurrection in China* (London, 1853); C. G. GORDON, *General Gordon's Private Diary of His Exploits in China* (London, 1885); L. BRINE, *The Taeping Rebellion in China* (London, 1862); A. E. HAKE, *The Story of Chinese Gordon* (London, 1884); LIN-LE TI-PING TIEN-KWOH; *The History of the Ti-Ping Revolution*, 2 vols. (London, 1866); E. BACKHOUSE AND J. O. P. BLAND, *Annals and Memoirs*, Chapter XVII; D. C. DE K. BOULGER, *The Life of Sir Halliday Macartney* (London, New York, 1908); *Blue-Books: The Canton Campaign; The Taiping Rebellion: Papers Respecting the Civil War in China, 1853; The Taiping Rebellion: Papers*, etc., *1862–1863;* WILSON, *The Ever-Victorious Army;* RANTOUL, *Frederick Townsend Ward* (Salem, Mass., 1908); S. COULING, *Encyclopedia Sinica*, articles on the Taiping Rebellion, Burgevine and War, etc., O. W. ALLAN, *The Makers of Cathay* (Shanghai, 1909); H. B. MORSE, *International Relations*, Vol. I, Chaps XVII, XVIII, XXVI Vol. II, Chaps. IV–VII.

# CHAPTER X

## IMPORTANT EVENTS BETWEEN 1860 AND 1875

### *Section 40. The Organization of the Imperial Maritime Customs*

An event of prime significance to China which occurred as a result of the Taiping troubles was the foundation of the Imperial Maritime Customs, the origin of which is discussed in the following selection. The confusion which arose as a result of the Taiping trouble with the inability of the native officials to perform their functions and the accompanying disorganization of foreign trade were immediate causes for the change; but, as one writer* has said, "behind it stood the secular dissatisfaction, going far back into the old Canton days, with Chinese ways of taxing trade. The farming of the revenue to the Superintendent of Customs and the bargain system of paying duties—with the unjust exactions, the inequality of treatment, the rapacity of underlings, and the Custom House squalor and corruption" were contributing factors.

245. The beginning of the Customs

In the year 1853, however, the civil war altered the conditions, when certain Cantonese rebels captured Shanghai and killed some of its magistrates, driving others into the British settlement, to which ground the custom-house was shortly afterward removed. The collector of the port, Wu Kien-chang, had formerly been a hong merchant at Canton, and he willingly entered into an arrangement for putting the collection of foreign duties into the hands of a commission

*S. Couling—*Encyclopedia Sinica*, p. 328.

until order was restored. The presence there of the British, American, and French ministers facilitated this arrangment. Their respective consuls, R. Alcock, R. C. Murphy, and B. Edan, accordingly met Wu on June 29, 1854, and agreed to a set of custom-house rules which in reality transferred the collection of duties into the hands of foreigners. The first rule contains the reason for this remarkable step in advance of all former positions, and has served to perpetuate the employment of foreigners at all the open ports, and maintain the foreign inspectorate :

Foreigners to be used

Rule 1.—The chief difficulty experienced by the superintendent of customs having consisted in the impossibility of obtaining custom-house officials with the necessary qualifications as to probity, vigilance, and knowledge of foreign languages, required for the enforcement of a close observance of treaty and custom-house regulations, the only adequate remedy appears to be in the introduction of a foreign element into the custom-house establishment, in the persons of foreigners carefully selected and appointed by the *tautai*, who shall supply the deficiency complained of, and give him efficient and trust-worthy instruments wherewith to work.*

In carrying out the new arrangement, each consul nominated one man to the intendant, viz. T. F. Wade for the British, L. Carr for the American, and Arthur Smith for the French member of the board of inspectors, who together were to take charge of the new department. The chief responsibility for its organization fell on Mr. Wade, inasmuch as he alone of this number was familiar with the Chinese language, and possessed other qualifications fitting him for the post. He, however, resigned within a year, and the intendant appointed H. N. Lay, a clerk in the British consulate, who completed the service organization.

Owing to a disagreement with the Chinese Government over the Lay-Osborne flotilla, Mr. Lay was dismissed from his position as Inspector General, in November, 1863. Mr. Robert Hart was appointed to succeed him. Under Mr. (after 1893, Sir) Robert Hart's able administration and with the coöperation of many able and loyal subordinates the Customs became phenominally successful.

*McLane's *Correspondence*, 1858. *Senate Ex. Doc.*, No. 28, p. 154.

Success, however, was not attained at once. Writing to Earl Russell under date of April 22, 1865, Sir Frederick Bruce refers to the "controversy, not devoid of an angry character (which) has taken place on the propriety and effects of the employment of foreigners by the Chinese Government in the Custom-houses established by it at the Treaty ports." At Sir Frederick's request Mr. Hart had undertaken to prepare a report, "giving an account of the traditional method of Customs administration practised in China, and its incompatibility with a prescribed Tariff, and with the altered conditions and course of trade as created by Treaties . . . of the difficulties it (the new Customs) had to contend with; of its gradual progress, and of the general influence it exercises on our trade and relations with China." Excerpts of this are given.

246. Mr. Hart's report on the establishment of the Customs

In 1854, while the Triads held Shanghae, the collection of duties by an ejected executive was not only exceedingly difficult in itself, but gave umbrage to many, who held that the Chinese Government was no longer entitled to tax foreign trade at that port. The city, seemingly, was virtually lost to the Imperial Government; the authorities had been expelled from their yamuns; and, once removed from their official residences, with confusion and chaos on every side, their power had been all but paralyzed. The import and export trade of the place, in so far as the lading and discharging of ships were concerned, went on much as usual; but the collection of duties, if not altogether in abeyance, passed from the hands of the Chinese for a time. Spasmodic attempts were once or twice made by an office that was very insufficiently recognized. Ships constantly left the port, on whose cargoes not a farthing of duties had been paid, in return for whose clearances the Consuls had obtained from the merchants bonds or promissory notes of questionable validity. Some said that the Consuls had not the right to exact such bonds, others that the bonds were but so much waste paper; and while doubts called forth discussions, and discussions failed to clear up doubts, there seemed to be every probability that the Government would lose a whole season's duties, and that, too, at a time when the pressure for funds

made itself daily more sensibly felt. Eventually it was agreed that the office of Customs, under its proper chief, the Taoutae, should be reopened; but it was at the same time decided to place it under the inspection of foreigners, who, as representing the three Treaty Powers—England, France, and the United States—were nominated by the Consular authorities.

In the initiation of such an Inspectorate, the first object attained was, that an end was thereby put to the confusion that had reigned for months. It relieved Consuls from the necessity of undertaking responsibilities in regard to the clearance of ships, and freed them from that time forth, from claims which the event might have shown them unable to enforce; it besides, in making provision for an impartial collection of revenue, protected honest merchants from the detrimental effects of the otherwise uncontrolled and fraudulent acts of men of less character; and it secured for the Imperial Government the revenue of the port. . . .

When, then, in 1858, in order to ensure uniformity of treatment for merchants at all the ports, it was proposed by the negotiators of the Treaties to extend the scheme that had been on trial at Shanghae to all the places opened to trade, the suggestion was received with favour, and an Article appended to the various Tariffs—of equal validity with the body of the Treaty—officialised the system, and made special provision for its continuance. The high Chinese authorities at once issued the requisite instructions, and during the years that have since gone by, office after office has been organized, until now the foreign Inspectorate is represented at each of the fourteen ports at which trade is carried on, and employs some 400 foreigners and about 1,000 Chinese. . . .

The collection of duties under the supervision of a foreign Inspectorate had been in operation at Shanghae four years, when the Treaties of Tien-tsin (1858) provided for the adoption of a uniform system at all the ports open to foreign trade. At Shanghae, the Inspectors were orginally three in number, representing the three Treaty Powers; when the extension of the Inspectorate was determined on, it became less of a foreign, and more of a Chinese institution, than had been in the years that preceded, and while it seemed expedient that it should be of a cosmopolitan character, it was no longer necessary that for each Treaty Power there should be a representative at every port. To each office there has, accordingly, been appointed but one Inspector, or, as he was in future to be styled, Commissioner of Customs; under the orders of the Commissioners are assistants, or clerks, and tidewaiters, of various nationalities. At the head is an Inspector-General; at first, he held his appointment from the

Governor-General of the Two Keang, who was the Imperial Commissioner for Foreign Affairs, but he now is appointed direct by the Tsung-le Yamun, that is, the Chinese Foreign Office, with which he corresponds, and through which he forwards his reports to the Board of Revenue.

Expansion of the Customs

It was to Canton that the system was first extended. . . . The next step was taken in February 1860, when an office was inaugurated at Swatow, the port of Chaou-chow-foo opened to trade under the American Treaty. . . . No other offices were established in 1860. Early in 1861 the Yangtze having been declared open to trade, in virtue of an arrangement made by the British Minister with the Chinese Government, a Commissioner was appointed to Chin-keang. . . . About the same time an office was established at Ningpo. . . . In May an office was opened at Tien-tsin. . . . In July an office was opened at Foochow. . . . In December offices of supervision, but not for the collection of duties, were established at Hankow and Kiu-kiang. At Hankow some little difficulty was at first experienced; it originated in the irritation felt by the Viceroy at the collection of duties at Shanghae instead of Hankow, and there were not wanting parties interested in trade who attempted to fan the flame, but they did that so clumsily—mistaking the nature of the Viceroy's opposition—as to excite his suspicions, and in the end turn the scale in favor of the establishment. The office once opened, the authorities were not slow to appreciate the aid received from their foreign associates in carrying out and in giving proper effect to rules and regulations which were, to say the least, novel, which conflicted much with standing ideas and the then order of things, and for which neither they nor their executives were prepared. In the following year both offices commenced to collect duties, and cordial co-operation at once followed the advent of funds. In April 1862 an office was opened at Amoy without the slightest trouble. . . . In March 1863 an office was opened at Chefoo. . . . During the same year offices were established on Formosa—in May at Tamsuy, with a branch office at Keelung, and later in the year at Takow. . . . In May 1864 an office was opened at New-chwang.

The offices of the Inspectorate are now fourteen in number, and Keung-chow, or Haenan, is the only port at which it is not represented. Keung-chow is rarely, if ever, visited by foreign ships; if called for, an office can at any time be easily established there.

It may be added that the Inspectorate has an establishment at Peking, where juniors, on first appointment, now reside to study Chinese in preparation for work at the ports.

The Inspectorate is now very generally treated as a branch of the Chinese public service, and officials regard it as naturally growing out of the new relations in which China finds herself through the Treaties entered into with foreign Powers. . . .

The old system

Prior to the introduction of the foreign Inspectorate, the transaction of business with the Customs was left by the merchant chiefly, if not entirely, to his Chinese linguist, shroff, or compradore; the foreigner had no permits to apply for, did not necessarily come into personal contact with Customs officials, and had in no way to trouble himself; in fact, for the foreign merchant, the Custom-house was practically a nonentity, and its rules, if it had any, concerned not him but his compradore. It was the compradore that the Customs knew; it was from him that duties were looked for. In other words, the compradores, from being the servants of, acquired an official status as securities for, their masters.

Obstacles overcome by the new system

With the introduction of a foreign element, there naturally came a striking change. The inspector recognized the foreign merchant, and ignored the compradore: applications of various kinds, before unknown, had to be made, and the signatures of firms were called for; and instead of the free and easy way in which offences and mistakes were previously winked at, condoned, or rectified, and duties compounded for and paid when convenient, infractions of rules became punishable, inattention to regulations delayed the passing of goods, and receipts for tariff-duties had to be handed in, if not before shipment and discharge permits were issued, at least before ships could be cleared.

Such a change, subversive of the order of things that preceded, and demanding attention to and careful compliance with quite another mode of transacting business, naturally tended, until properly understood and rendered easy by experience of its working, to inconvenience and embarrass the foreign merchant; and, in so far, the hostile outcry that greeted the system in its earlier years was neither unintelligible nor to be wondered at. . . .

Coupled with, and perhaps in part arising from, the troubles caused by the introduction of a new system, was the ill-will displayed towards the Customs employés personally by many of the mercantile body; the merchants, with but few exceptions, at first treated the people connected with the Inspectorate as being, so to speak, their natural enemies. It was considered rather correct to show that they regarded the foreigner in Chinese employ as being the low rowdy a popular paper styled him, and to make him feel that his position deprived him of all title to social amenities. . . .

It is not necessary to dilate on the benefit the establishment of the Inspectorate has been to the Chinese Government. If it has not created an entirely new branch of revenue, it has, at all events, secured for the State funds from a hitherto unappreciated source, and that, too, to an extent never dreamt of before. The support now given to the system by the highest Chinese authorities speaks in itself for the appreciation in which they hold it. . . . For corrupt, dishonest, and inefficient offices, it has substituted an honest and effective revenue administration tending to complete uniformity at the ports. . . .

Some effects of the Customs

The more intimate nature of the relations into which the members of the Inspectorate have been brought with Chinese officials, conduces not a little to lead those officials to understand foreigners better, and to remove much of the suspicion and dislike with which they regarded them. . . . Further, the juxta-position of an honest administration is making itself felt; there is not an official that comes in contact with it who does not express at all events a theoretic admiration, and in some instances it has given form and body to a determination to bring about a better state of things generally. Through the Inspectorate, perhaps more than through any other means, does there appear to be an opening for the in-

CUSTOMHOUSE, SHANGHAI

troduction of sundry reforms and useful ideas. It is gradually leading the Chinese mind in the direction of properly salaried official establishments; any step in that direction will go far to do away with the canker that preys on the very vitals of the country, and the multitudinous sufferings and malpractices that are its concomitants.

The attitude taken by Inspector General Hart toward his subordinates in the Customs service, and his ideas as to the functions and position of the service are clearly shown in the circulars which he issued to the Commissioners over a long series of years. The accompanying extracts from two of the most important of these circulars are of especial interest.

247. Circular No. 8 of 1864

INSPECTORATE GENERAL OF CUSTOMS,
PEKING, 21st June, 1864.

SIR,

1. Various occurrences, which have attracted my attention during the course of the last three years, induce me to think, that it might prove of no little utility to all concerned, to place before the Commissioners of Customs sundry considerations, of a kind calculated to lead to more correct ideas of some of the principles by which they ought to be guided in the discharge of their duties, and suggestive of some points of view from which the Inspector General, as the responsible Agent of the Chinese Government, is necessitated to regard their action, more especially when that action provokes public criticism, or elicits marks of disapprobation, whether on the part of Foreigners or Chinese. It is with such an object in view, as well as to notify certain rules of the Service, that this Circular Despatch is addressed to the gentlemen in charge of the Offices of Customs at the various ports: and to its contents their particular attention is invited.

The object of the circular

2. In the first place, it is to be distinctly and constantly kept in mind, that the Inspectorate of Customs is a Chinese and not a Foreign Service, and that, as such, it is the duty of each of its members to conduct himself towards Chinese, people as well as officials, in such a way as to avoid all cause of offence and ill-feeling. Whatever other Foreigners resident in this country may deem themselves entitled to do, whether from their position, or fancied superiority to the Chinese, or in

The Customs, a Chinese not a foreign service

the way of showing their superior enlightenment by riding rough-shod over prejudices, and by evincing a general contempt for customs differing from their own, it is to be expected from those who take the pay, and who are the servants of the Chinese Government, that they, at least, will so act as to neither offend susceptibilities, nor excite jealousies, suspicion, and dislike. In dealings, therefore, with native officials, and in intercourse with the people, it will be well for the Foreign employés of the Customs to remember, that they are the brother officers of the one, and that they have, to some extent, accepted certain obligations and responsibilities by becoming, in a sense, the countrymen of the others: the man who cherishes such an idea, will be led to treat the one class with courtesy, and the other with friendliness;—courtesy will smooth his way in the transaction of official business, and the conduct that originates in a really friendly feeling will tend to do away with much of the dislike, in many places shewn to Foreigners generally.

The foreign employee's primary and secondary considerations

3. While he is to keep in mind and act upon the hint contained in the preceding paragraph, it is not, of course, expected that any one will forget that he is a representative of a civilisation of a progressive kind, that differs in almost every respect from that of this country; nor will he be expected, as such, to suppress the inclination that naturally will lead him to seek to awaken some interest in that civilisation, and to introduce such of its appliances as the experience of the West has shewn to be productive of generally beneficial results. But the action that such consideration involves, must be of a secondary kind: the first thing to be remembered by each is, that he is the paid agent of the Chinese Government for the performance of specified work, and to do that well should be his chief care; subsidiary to that work must be those plans and that action which march in the train of progress, and they too, to be both beneficial and successful, must be guided by the good sense that patiently awaits its opportunity, that can suggest without affectation of superiority, that labors to convince rather than to dictate to, and that can introduce remedies without causing the irritation that attends the exposure of defects

4. For sufficiently obvious reasons, the application of the broad principle, by which action ought to be guided, needs no further amplification or illustration. If properly appreciated, its influence will make itself felt in the most minute details of the individual's official work and private life in China. Each Commissioner has special duties to perform and responsibilities to meet, originating in the position in which he is placed at the port at which he is located. The official relations in which he stands to the Inspector General, the

The duties of a Commissioner of Customs

Superintendent of Customs, the Consuls, the Mercantile community, and the Service generally, demand his consideration, and not to understand them will render him liable to errors in the performance of the duties that accompany them. He is the delegate or deputy of the Inspector General,—the only one in the Service, it is to be remembered, held responsible by the Chinese Government,—and is appointed to take charge of the Foreign staff that aids the Chinese Superintendent in the collection of the Revenue, and in the transaction of Customs' business; he is by position the head, under the Superintendent, of the executive, and, by courtesy, though not necessarily, he is the adviser of the Superintendent in all that concerns Foreign trade at the port in question. As head of the executive, his duties are simple, though important, and are such that a man of common sense can hardly fail to perform them satisfactorily and efficiently, guided as he is by Port Regulations, which provide for almost every ordinary contingency, and aided by an office routine that ought to make the transaction of business a matter of mechanical correctness. As the adviser of the Superintendent, his position becomes a different and more difficult one; his speciality is—or at least is supposed to be—a correct knowledge of the regulations under which trade by Foreigners with China is carried on, and it is taken for granted that that knowledge is accompanied by an accurate acquaintance with the habits, wishes, modes of thought, and ways of viewing occurrences, of those Foreigners, as well as by a greater familiarity than other Foreigners can have, with the nature, circumstances, and rights of the Chinese. The Commissioner is accordingly likely to be regarded by the Superintendent as being better qualified than he is himself to pronounce a correct opinion on every question that presents itself, and, however frequently he may fail to endorse his action after the event, the Superintendent will rarely otherwise than adopt his opinions and put forward his views beforehand. It is right and natural, too, that the Superintendent should appeal to the Commissioner for advice, for he will assume that the Commissioner has such a comprehension of the reciprocal obligations, rights, and modes of acting of both Chinese and Foreigners, as shall make him a safe counsellor; and, on the other hand, the Superintendent, if but newly appointed to his post, cannot but be as ignorant as the other ought to be well informed. It is, too, the corollary of his position, as the Inspector General's deputy, and it is in some respects his right, as the head of the Superintendent's executive, that the Commissioner should be the Superintendent's adviser; it is, however, only by the Superintendent's courtesy, that advice is on each occasion asked for or followed. Such

considerations will naturally lead the Inspector General to expect the executive of each establishment to be thoroughly acquainted with its duties, and thoroughly efficient in every respect, and to the Commissioner will he look to see that it is so; further, and as naturally, too, will the Inspector General expect the advice given to the Superintendent to be sound and correct, and nothing will cause greater surprise than to find that the Superintendent, in following that advice, has been placed in either an impolitic, inexpedient, or, more especially, *untenable* position. On this latter point, it is to be particularly pointed out, that any action taken, or advice tendered, by a Commissioner, which shall have the effect of placing a Superintendent in a false or untenable position, will be regarded as evidence that that Commissioner has not had sufficient experience, and does not possess that acquaintance with the more important parts of his duty, which—and which only—justifies his occupancy of such a position; and, however much to be regretted may be the necessity for such a step, it will be the Inspector General's duty, in the interests of the Chinese Government, of the Customs' Service, and of the Mercantile community, to remove from his post any individual who may, by such action as that referred to, give evidence of his unfitness to be at the head of an office. The good sense of each Commissioner will doubtless preserve him from such errors in judgment, as well as prevent him from allowing the warning this paragraph contains, to have the effect of inducing complete inaction through fear of responsibility.

The duties of a Superintendent of Customs

5. While it is the Inspector General who is responsible to the Chinese Government for the efficiency and trustworthiness of the various Foreigners appointed to posts in the Customs' Service, and for the work generally as performed by the Foreign executive, it is the Superintendent of Customs at each port who is, in point of fact, officially responsible for the proper discharge of the duties of that port. The position of the Commissioner is accordingly of necessity subordinate to that of the Superintendent, and, while, at the same time, personally, he differs from the Superintendent's subordinates, properly so called, it is not becoming for him to thrust himself needlessly forward, and, in the eyes of either Foreigners or Chinese, court or accept responsibilities other than those that properly attach to him; it is injudicious, too, and likely to be attended with bad results, for the Commissioner to arrogate to himself the tone of the Superintendent, for, while such a proceeding is not unlikely to offend the Superintendent himself, it is calculated to lead the public to misapprehend the nature of the Commissioner's office, and to demand of him services, which, if rendered, in addition to being

unauthorised, place him in a still falser and more difficult position for the future, and which, if refused, not only call forth, and to some extent give grounds for, the charges of caprice, favouritism and antagonism, but tend, too, to weaken and discredit the position to which he is in reality entitled. The more the Commissioners keep in the background, the better will it be for the duties they have to perform, and the less will be the chances of their becoming the objects of ill-feeling.

6. The Commissioner's position at the port will naturally bring him more or less into contact with the various Consuls, and, for the speedy adjustment of difficulties, as well as for the transaction of business generally, it is desirable that acquaintance with them—the non-mercantile more especially—should partake of the nature of intimacy, and that friendly relations should be always preserved. In whatever official correspondence or conversation the Commissioner may have with such Consular authorities, it will be still more advisable to bear in mind the fact of the Superintendent's official responsibility, and to refrain from adopting such a tone as shall tend to cause the Consuls to consider or treat the Superintendent as a non-entity, or lead them to transfer his responsibility to the Commissioner. However desirable it may be that ultimate decisions should be those that the Commissioner may advise, it must not be forgotten, that advice must be accepted by the responsible head of the local establishment—the Superintendent—before action can be taken, and that the decision come to on such advice is, *ex officio*, the Superintendent's decision; care ought therefore to be exercised, to refrain from in any way interfering to the prejudice of the Superintendent's assertion of the dignity of his own position, and consequent responsibility:—and, to authorise it to be said that the decision rests with the Commissioner, would be such an interference. A judicious sinking of self will not in any way derogate from one's respectability or real influence; whereas an undue amount of self-assertion, the more especially if it be of that unwarranted kind which is seen where the responsibility really rests with another, will sap the foundations of influence, and must, in the end, make the individual ridiculous.

Relations of Customs officials and merchants

7. With the members of the mercantile community, the Commissioner and the members of the establishment, come into daily contact. Most of the merchants are said to entertain a deep-rooted dislike for the Inspectorate; many of them are at no pains to conceal that dislike; and all of them equally will cry out whenever regulations are enforced to their prejudice, or even when they are subjected to delays which, though necessary to enable the office to do its work,

to them seem vexatious and uncalled for. It is to be regretted that such a feeling should exist, but it is a matter of congratulation that the virulence of the hostility shows signs, at some of the ports, of disappearing. The feeling referred to, originating in the exemption from the necessity to attend to Customs' business that merchants, generally, enjoyed a few years ago, has, it is to be confessed, been kept in existence, and on some occasions almost justified, by the unavoidable inefficiency of the Customs' staff, and by the antagonism, on the part of the Customs' people, that it itself called forth in return. The charge, too, that the Customs have been careless of the interests of the merchants, has in some respects been negatively not an ill-founded one. We, however, are not the masters of the likes and dislikes of other people, and with the feeling of the merchants, whatever may be our wishes, we can have but little to do; it would, of course, be more pleasant for all, were the Inspectorate more popular, but that it will ever be so, in any very high degree, can hardly be hoped for, inasmuch as, in every place and age, the administration of the revenue has invariably provoked opposition and hostility. Nevertheless, we have positive duties to attend to, and it is as easy to get through them smoothly, as it is to make their performance vexatious. Antagonism to the merchants is not the principle that ought to guide a Commissioner, or his staff, in the conduct of Customs' business. It is when trade flourishes that the coffers of the revenue are most rapidly filled, and for trade to flourish, its operations should be as much facilitated, and as little fettered, as possible; on the other hand, the interests of the Inspectorate itself require that work should be performed not only efficiently but smoothly, and. for office work to go on smoothly and to be performed efficiently, it is requisite that the rules and regulations should be of the least cumbrous and most intelligible kind,—that each individual in the office should be thoroughly acquainted with the work of his own department—that the merchants should know to whom, and in what way, to apply for the transaction of their business; and above all, that the only display of feeling should be such as might be evinced in the desire—the more reciprocal the better—to oblige. To a public servant it will be quite a sufficient reward, to be conscious of the fact that the most disagreeable of duties is performed in the least disagreeable of ways; whether the attempt to oblige is acknowledged, or not, need matter but little to him. From such a standing point, it will be seen to be the duty of the gentlemen in charge of offices, to study well, with a view to practical results, the condition and requirements of the several ports at which they are located; with a proper regard to the protection of

the revenue, the interests of the merchants should be their chief care; they ought to see that useless rules are not enforced, and that such as are of an unnecessarily vexatious character are modified; they ought, by constant personal supervision, to assure themselves, that the members of their establishments understand their duties thoroughly, perform them carefully, and show themselves willing and obliging; as public servants, they are bound to help the public in the transaction of the business that brings them to the office, and it should be their aim to demonstrate practically—not only that, given the present order of things, the arrangements made for the transaction of business are the best possible, but—that the present order, is, or may be made to be, superior to any other in its collateral benefits and advantages. No Commissioner need entertain the fear that his efforts to facilitate business, and, by so doing, to consult the true interests of trade and commerce, will be characterised by the Inspector General as truckling to the merchants; a gentlemanly assertion of the dignity of one's own position, is by no means incompatible with a due and careful regard for even the most trivial, if honest and rightful, interests of others. The mercantile communities ought, therefore, to be encouraged to make such suggestions as to them—viewing business, to be transacted, from their side and their points of view—seem likely to tend to render work easier; and, indeed, the more forcible the language with which they point to existing defects, the more intelligible will it be. Human institutions are seldom perfect: ours, however, is not fettered by the red-tape that clogs the action of other departments; and it is our duty, as it ought, too, to be our pleasure, to aim at the perfect. Approaches to it, be they recognised or not, will in themselves, as points gained, sufficiently reward whatever trouble may be taken. Such being the Inspector General's views and wishes, it is confidently expected that the Commissioners will be guided thereby, and that they will coöperate cheerfully in carrying out a policy which will be found, in the end, to tend in the highest degree to lighten the work of the office, and to render most easy of performance the duties of the several heads of departments.

Importance of studying the Chinese language

8. With a view to the greater efficiency of the Service, the Commissioners ought to endeavour by their counsel and example, to imbue their subordinates with such an interest in their work, and such an *esprit de corps*, as shall educe the knowledge and qualifications that fit juniors for taking the place of seniors, and inspire the heads of the Service with confidence in the capacity of its members. As many as can do so, ought to pay some attention to the study of the Chinese language; it will be found to be not altogether

uninteresting in itself, and while the acquisition of the language may subsequently prove as beneficial to the individual, as it will be useful to the Service, the study of it will, at all events, lead to some knowledge of, and create some interest in, the Government we serve, and the people among whom our lot in life has been cast. It is the Inspector General's aim to make the Service efficient: let it be the care of the Commissioners and their subordinates to make it respected.

Customs officials should be careful not to interfere unduly in non-Customs affairs

9. The specific duties to be performed by the Commissioners, are those which arise from their connection with, and position in, the Chinese Customs. The full and efficient performance of their own duties, as Commissioners of Customs, will leave them but little time for engaging in work of any other kind, and indeed, generally speaking, to engage in any other work is only too likely to be followed by, as a result, an inadequate attention to their duties proper. The Inspector General thinks it right accordingly to discourage as much as possible the acts of those who take part in other than Customs' affairs. Inasmuch, however, as the Commissioners, from their greater intimacy with Chinese officials, may in general be able to influence those officials more easily than can others, it might be unwise to issue an absolute prohibition against interfering with affairs beyond the province of the Customs; for, the friendly advice of the Commissioner, if sound, may be attended with good results in many cases, which might otherwise result in unfortunate complications. The Inspector General, however, wishes it to be distinctly understood, that, while such matters must be left by him to the good taste and discretion of the Commissioners individually, he will not share the responsibility of such action; and that instances of unwarranted or ill-advised interference, will be viewed as affording evidence of unfitness for a position of such trust as is that of a Commissioner. Moreover, whenever a Commissioner goes, or proposes to go, beyond the proper sphere of his duties as such, his neglect to report the action taken, or proposed to be taken, will be regarded as reprehensible in the extreme. Copies of correspondence with local or other officials, relating to matters not connected with the Customs, must be forwarded for the information of the Inspector General. . . .

Essential equality of Customs officials

11. The Inspector General is not unaware of the fact that the ports differ from each other in respect of the numbers of resident Foreign merchants, in the amount of duties collected, and in other ways; and that while at some there are Commissioners, at others there may merely be Acting Commissioners, or even Assistants in Charge, and that these classes, too, draw different rates of pay. It is to be clearly understood, however, that whatever be their titles, and

whatever their rates of pay, the officers selected to take charge of the ports are regarded by the Inspector General as, for the time being, on precisely the same footing, and that, in the absence of specific instructions to the contrary, an Assistant in Charge, acting as such by the Inspector General's authority, is fully entitled to address the officers in charge at other ports on terms of perfect equality. . . .

Customs officials are not to take the enforcement of law into their own hands

18. In the event of any insult offered to, or ill-treatment received by, any Customs' employé, whether Native or Foreign, it will be the Commissioner's duty to move the Superintendent of Customs to punish the offender, if Chinese, or, if a Foreigner, to address an official complaint, calling for a formal and public investigation of the charge, to the Consul concerned. Should the Consul refuse to make the examination, or should he appear to act unfairly in the matter, to the detriment of the public Service, it will be the Commissioner's duty to report the occurrence, forwarding copies of all documents, to the Inspector General, and to move the Superintendent to address a similar report to the Tsung-li Yamên. The Commissioner must not by stopping the working of a vessel, by forbidding the person to enter the office, or by any other similar act, take the law into his own hands.

19. The Inspector General is responsible to the Chinese Government, for the good conduct, honesty, and efficiency, of the various Foreigners employed in the offices of the Inspectorate, and he is liable to be dismissed from his post at a moment's notice, in the event of his services, or the services of those he recommends for employment, being deemed unsatisfactory by the Government. The Commissioners of Customs, the Assistants or Clerks, and the Foreign employés, generally, hold their positions so long as the Government requires their services, provided their general conduct, and the mode in which they perform their duties, are satisfactory to the responsible Agent of the Government, the Inspector General, with whom alone rests the right to employ or dismiss, to promote or degrade, or change from one port to another. Except in the cases of those who may hold letters of appointment, in which distinct provision of a different nature is made for such a contingency, a Commissioner, or an Assistant on the regular list, with whose services the Inspector General finds it expedient or requisite to dispense, is entitled to three months' notice, or, in default of notice, to three months' pay. . . .

24. From what has been written above, it will be evident to the Commissioners, that the object the Inspector General has in view is simply to give shape, efficiency and regularity to the Service, as well as to prevent misunderstandings and mistakes; and it will be equally obvious, that it will be as

much for their interest as for his, to carry out cheerfully and faithfully the directions given, and to act up to the spirit of the suggestions made.

I am, &c.
(Signed) ROBERT HART,
*I.G.*

THE COMMISSIONERS OF CUSTOMS.

248. Circular No. 25 of 1869

INSPECTORATE GENERAL OF CUSTOMS,
PEKING, 1st November, 1869.

SIR,

1. Having received replies to Circular No. 13, 1869, concerning port requirements and service re-organisation, and having compared the various suggestions, and carefully considered the substance generally of those replies, I avail myself of the opportunity afforded by the publication of new rules for the service to make such remarks as seem most called for at this juncture.

2. In the first place, I have to thank the Commissioners generally for the attention they have given to the points on which their opinions were invited, and for the candour and freedom of speech with which they have expressed their views. Were my Cir. No. 13, 1869, to have no other effect, it will be found to have been useful, in one direction by inducing the seniors in the service to express their opinions freely, and in another by developing through that very expression of opinion a stronger feeling of unity and greater cohesion in all its ranks.

3. The replies, taken as a whole, place before me three sets of suggestions:

Suggestions made by the Commissioners

1°. Those affecting the strength of the staff required by each port.
2°. Those which refer to such rules for the regulation of the service as the Inspector General is competent to deal with; and
3°. Suggestions requiring to be considered by a committee appointed by the service generally before being touched by the Inspector General himself.

The suggestions of the first class, having reference to individual ports, will be treated of in correspondence with the ports concerned, and those of the third class will probably be placed before a committee for re-consideration, after I shall have had the opportunity of conferring personally with

the Commissioners from whom they emanated; suggestions of the second class, necessitating nothing more than a careful comparison of the opinions of the writers, tested by the results of personal observation, and viewed in connection with the characteristic features of the service during the ten years it has existed, can at once be dealt with.

Historical sketch of the Inspectorate of Customs

4. In 1854, when the Rebels held Shanghai, the Treaty Powers, England, France, and the United States, in view of certain difficulties which the peculiar state of affairs was orginating at the chief treaty port, authorised a Foreign Inspectorate, in which each should be represented, to coöperate with the Imperialist officials in the managenent of that part of the Custom-house business which affected Foreign merchants. The first British Inspector Mr. WADE, previously vice-consul at Shanghai, was, after a few months, succeeded in the post by Mr. LAY, Interpreter in the British Consulate, and the Inspectorate, as then constituted,—except that, on the French side, Mr. EDAN succeeded Mr. SMITH, and on the American, Captain CARR was followed by Dr. FISH,—continued to transact the Foreign business of the Shanghai Customs from 1854 to 1858. In 1858 the Treaties of Tientsin were negotiated, and in the agreements subsequently signed at Shanghai, publishing a Tariff and the Rules appended to it, a clause was inserted to the effect that a uniform system should be adopted at every port, and that subjects of the treaty powers might respectively be selected by the Chinese Government to assist in the administration of the Customs' revenue, &c. At that time, I was Interpreter in the British Consulate at Canton, and, being well known by the Governor General, LAO TSUNG-KUANG, and the Hoppo, HÊNG-CHI, [Hangki,] it was proposed by them to me, that I should establish such an office at Canton as was presided over by Mr. LAY at Shanghai; I declined however to do so, but telling Their Excellencies that doubtless Mr. LAY himself, if invited, would willingly visit Canton for that purpose, I furnished Mr. LAY with a lengthy memorandum on the state of affairs at Canton, and eventually left the Consular service at the end of June 1859, to fill the post of Deputy Commissioner at Canton. The local inspectorate at Shanghai had in the meantime changed its character: the French and American Inspectors had been paid off, and Mr. LAY, appointed Inspector General by Ho KWEI-TSING, the Imperial Commissioner for Foreign affairs (there was then no Foreign Board), had placed the late Mr. DAVIES, as Commissioner, in charge of the Shanghai Establishment. In October 1859, all preliminaries having been arranged, Mr. GLOVER was placed in charge at Canton as Commissioner, and in January 1860 the Swatow office was opened with Mr. WARD in charge.

In 1860, Mr. DAVIES went to England on sick-leave, and the late Mr. FITZ-ROY took charge at Shanghai. Early in 1861, Mr. LAY was re-appointed Inspector General by the newly constituted Foreign Board, and in April of that year he went to England on leave;—at this point, I ought to explain, that Mr. LAY had not as yet visited Peking, and that the only member of the Foreign Board with whom he was at all acquainted was the former Hoppo of Canton, HÊNG-CHI; his departure for Europe at that moment was in opposition to strong remonstrances made by myself and others in what we conceived to be his own and the interests of the infant service. On Mr. LAY's departure, the duties of Inspector General were performed by Mr. FITZ-ROY and myself conjointly: we held as our authority—not letters of appointment from Mr. LAY, but—despatches from HOÜEH HUAN and CH'UNG HOW, the Imperial Commissioner for the Southern, and the Commissioner for the Northern Ports, which again, the June following, were replaced by a formal commission from the PRINCE OF KUNG, the head of the Foreign Board. Mr. LAY did not return to China till May 1863, and, in the meantime, offices had been established during his absence at all the other treaty ports. After his return to China, and on the death of Mr. DAVIES, I was appointed by the Foreign Board to be Commissioner at Shanghai, and was charged also with the direction of the ports on the Yangtsze, and Ningpo. In November of the same year, when Mr. LAY's tenure of office ended, I became Inspector General by the appointment of the Foreign Board. During the months Mr. LAY spent in China in 1863, he was chiefly occupied with the affairs of the unfortunate flotilla, and thus it has come to pass that the service arrangements have been mainly controlled by myself since the spring of 1861. Of the hundred who now belong to the In-door staff, there are only some twenty persons who received their original appointments from Mr. LAY, and, of them, while two were made Commissioners by Mr. LAY, it was from myself that the others received the most of their promotions; the other eighty gentlemen now in the service—with the exception of three or four, nominated, in the first instance, temporarily by Mr. FITZ-ROY, have received their first appointments and subsequent steps from myself. What has been written will be sufficient for my purpose,—which is to record in a few words the history of the earlier days of the service, and to recall to your recollection how intimately I have been associated with it and its concerns from the very first, and how closely I am personally connected with the career of almost its every member.

5. From the brief historical sketch to which the preceding paragraph has been devoted, I now pass on to invite

your attention to a few explanations, which it may be well to place before you, and which are intended more especially for those whose promotion has been relatively slow,—who have seen juniors of either their own or some other nationality pass over their heads,—and who, for these or other reasons, feel disappointment or discontent.

The question of seniority and promotion

6. For reasons which may not have been apparent to all, but which nevertheless have existed, and could not be ignored, a peculiar caution has had to be exercised in the matter of appointments, and, more especially, in that of promotions to the higher grades: selection has, therefore, been necessitated. Now, to have to select must always place the individual who selects in the position of appearing to many to choose capriciously, abitrarily, and unwisely. In a new service, composed even of men of but one nationality, no one would advocate the adoption of a mere seniority principle: it is only by special appointments and judicious selections, that efficiency can be brought to that standard, and a service fitted to do that work, which its originators and framers have in view; as time goes on, more weight can of course be given to the claims of seniority, but even such claims must be set aside where efficiency is not absolute, or where special requirements call for special qualifications, and extraordinary circumstances necessitate extraordinary action. Thus, in this service, which may be said only to date from the ratification of the treaties in 1860, while the service cannot be said to have existed long enough to free itself from those circumstances which necessitate special manipulation, and forbid attention to mere seniority; it is further to be remarked that, where individuals have only served longer than others by a few months or even a few years, any attempt to found claims for advancement on the mere merit of seniority would be to give undue importance to a very minor factor in the consideration of rights to promotion. At the outset, there may be said to have been no rights at all: each man's retention of position depended partly on the service proving itself to be so efficient as to be deemed worthy of continuance by the Chinese Government, and partly on its being made so thoroughly cosmopolitan as to recommend itself to Foreign powers, and thereby prevent their interfering to cut short its existence; to satisfy these conditions, the consideration of mere seniority had to be set aside, and the Inspector General had to seek for superior efficiency on the one hand, and aim at such an admixture of nationalities, in the various grades, as should prove acceptable on the other. At the same time, other things being equal, seniority has always had its just value accorded to it; that the Inspector General personally should himself have to judge of the equality or

inequality of other qualifications, and of the greater or less importance of other considerations, has been simply a fact to be met, and is but a natural part of the work of the chief of the service—for, in all services, the weighing of claims, and the selection of individuals to fill vacant appointments, have, in the end, to be attended to by some one individual. It is thus that seniority, during the past ten years,—the first decade of the existence of the service,—has been, as a rule, a secondary consideration, while individual efficiency, special qualifications, and nationality have been of primary importance.

The question of the study of Chinese

7. It has been said that an exaggerated importance is attached to the knowledge of the Chinese language, and that their due value has not been given to other qualifications. In reply, it is to be remarked that other qualities have never been regarded as valueless: on the contrary, I have seen that a man may be an excellent Chinese scholar, and yet be, owing to certain disqualifications, unfit for a desk in a busy office; but I did, and do, think, that there is no reason why men should not be to be found who are at once able to acquire Chinese, and also qualified, by being able to write legibly and figure correctly, to do clerk's work in an office. A man may write legibly and figure correctly, and yet have neither the training nor the qualities, which, where an exceptional aptitude for languages does not naturally exist, must be possessed in order to acquire Chinese: on the other hand, the man who is able to learn the language, is not likely to prove so wanting in power, as to be unable to school himself into the performance of a clerk's duties. I have accordingly done what I could to find men who would study Chinese, and to reward those who study it successfully: but in doing so, I have always endeavoured to make sure that Chinese was not the individual's only qualification, and that, while superior to his comrades in that, he was at all events their equal in other respects, and of unquestionable fitness for the post appointed to. Some advisers have been rather opposed to the study of Chinese by the members of the service generally, and have thought that Commissioners who did not, assisted occasionally by Interpreters who did, speak the language, would make things work more smoothly, and be preferable from many points of view. I always held, however, and continue to hold, an entirely different opinion; and the reasons by which I have been actuated in forming a Chinese-speaking service have had amongst them the following considerations:—Employés under any Government ought to speak the language of the country they are employed in; letters have been continually received from Chinese Superintendents, begging me not to send to their ports Commissioners who do not speak

the language; the acquisition of Chinese by all seems calculated to ensure the continued existence of the service, for, in that way, the service may hope to be able to commend itself, as of intrinsic value, to the approval of Chinese Officials; the acquisition of Chinese by all frees the Inspector General from the invidious task of having occasionally to place juniors who can speak, over the heads of otherwise well qualified seniors who cannot speak, the language; by inducing all to study the language, there is given to each what is in itself capital in this country, and by the very fact of thus making the service, and the Chinese Government too, independent of myself, I again hoped to increase for the service its chances of existence; experience had shown that, no matter what the rank of the individual who appears as principal, the Chinese authorities too readily look to the Chinese-speaking medium as really the person to be dealt with, and therefore the anomaly of employing non-Chinese-speaking Commissioners, and of yet giving the interpreter the command of the situation in all difficulties, appeared to me to be unworthy of support—however strong, temporarily, it might make the Inspector General; students of Chinese are certain to form a truer estimate of the national character, and a truer appreciation of their position under, and of the work to be done for, the Chinese Government; and, lastly, there are the possibility and hope of good, internationally speaking, springing from the study of the Chinese language by so many able and educated men in Chinese employ. The prominence given to Chinese studies has thus not been without its reasons, but it was never meant that other qualifications were being absolutely ignored. . . .

9. I consider the present a fitting occasion to make the few remarks which precede: and I think it well to add to them yet one other. Discontent, when justifiable, is allowable: but the man who complains, and the man who is complained of, to understand the true merits of a complaint, must start from the same point—both as regards circumstance and time. I therefore trust that in future any one who may think that he is not properly appreciated, or who may suppose he has ought to complain of, will at once acquaint me with it, setting forth his case in detail and forwarding his statement in the usual way through his immediate chief, the Commissioner at the port served at; no one need fear to give offence by explaining himself in the way now indicated.

10. As it was in my Circular No. 8 of 1864 that the first Service Rules were notified, I think it well to refer to it here for a moment, partly to re-affirm, not so much its letter as its spirit, and partly to correct some few misapprehensions to which it has given rise.

11. It has been said that, by it, I deprived Commissioners of all power of initiative. To speak thus, is to misrepresent the object of the cautions that Circular contained. I have ever only been too anxious to find the chiefs at the ports willing and able to initiate, whether improvements in their own offices or reforms in the neighbourhood. The Inspectorate, it must be remembered, is not a political institution: its mission is rather commercial and industrial; but anything that any one can of himself do whether to widen the area of commercial interests, create industries, or even—though this last involves the possibility of an officious meddling with what had perhaps better be left alone—cause ameliorations in political conditions, will be recognised by no one more quickly, will be appreciated by no one more thoroughly, and will be supported by no one more warmly, than by myself. What I have been, and am, unwilling to do, is this: I am unwilling to accept the responsibility of action concealed from me or with which I have not been in due time and course made fully acquainted, and I object to any initiative which attempts to effect its ends by coercing or trying to coerce the local officials. Contemplated action should first of all be reported to me: but, to have to report it, does not imply either that it ought not to have been thought of, or that it will be disapproved of.

The Inspectorate not a political institution

12. It has also been thought that I have not allowed Commissioners sufficient latitude in matters of office expenditure. The explanation is simple. Whatever strictness there has been, has been owing to the fact, that the Inspector General is only allowed a fixed annual sum for the support of the service, and that it has consequently been necessary, in turn, to limit the expenditure of each office to a fixed annual sum; the amounts allowed have been so arranged as to secure a credit balance at the end of the year, from which the Inspector General may be able to meet expenses which do not appear in the accounts of any of the ports—such as those required for the support of the Inspectorate General at Peking, for vessels for preventive purposes, for houses, for retiring allowances—for all of which money must be provided and kept in reserve. I have not prohibited or refused to sanction any necessary expenditure; but after authorising the issue of such and such amounts for salaries, wages, and miscellaneous expenditure, I do and must require each Commissioner to apply for special authority before he proceeds to incur liabilities, either beyond the common for ordinary wants, or to any extent whatever for special purposes; and in order to have funds to meet ordinary general requirements, as well as to fall back on under exceptional circumstances, the Inspector General must naturally continue to require

Reasons for careful expenditure

that expenditure, being before incurred, shall be known to, noted, and authorised by himself.

Seniority vs. equality in the Service

13. It has further been objected that that Circular did not show the consideration that is due to seniors, when it pronounced all in charge of offices to be equal. The object of the paragraph thus objected to, has been misunderstood. What it did mean was this: that any officer in charge, is, while in charge, not only responsible to the Inspector General, but is the only one responsible, for the administration of affairs at the port in question, and that no other officer—however much he may be senior, or more able—is to interfere with him, or give him instructions, or take action within the limits of his port, or treat him for the time being as having any other than equal responsibilities. . . .

15. Having thus referred to the few points on which misapprehensions are said to exist, I shall now proceed to reaffirm, in brief language, the spirit of that Circular.

16. The burden of that Circular is the recommendation that pervades it from first to last, counselling all to be considerate and conciliatory. Each Commissioner is called on not to undertake undue responsibilities—not to trench on the duties of either Chinese or Foreign officials at his port—and is to cultivate friendly relations with his colleague, the Chinese Superintendent, with the Consuls, and with the community, both native and foreign: he is to exert himself to make his office a model for correctness and despatch in the transaction of business, and for facilities and encouragement given to trade: his conduct generally is to be marked by liberality in dealing with the public, and by allowance for circumstances in dealing with all who get into difficulties: and, just as the Inspector General aims at making the service efficient, so each individual member of it is called on to endeavour to make it respected. That Circular reminds all that they are serving the Government of China; it tells them, too, not to forget that they are the representatives of a Christian civilisation, and that—in that respect—while China's paid servants, they have other duties which are concurrent with the work for which they are paid.

Local settlement of Customs' cases

17. In a preceding paragraph I have made a few remarks on the subject of initiative; I have now to give my views in connexion with a point somewhat akin to that of initiative, viz., the local settlement of Customs' cases. The Foreign Board would infinitely prefer to see questions settled, as they arise, quietly and fairly at the ports, rather than have them referred for solution to Peking. Where a Consul and Commissioner are agreed as to the course to be pursued, while the Superintendent persists in holding a different view, there is no help for it: reference is necessary. But in the beginning

of any affair, and while it is still in his own hands, a Commissioner should weigh the matter well, and determine for himself whether it is one worth the trouble it may give, if brought to the Superintendent's notice, and thereby exposed to the possibility of becoming, by correspondence, so expanded as to assume the dimensions that necessitate reference. During the past ten years many things have occurred to show how mischievously it acts, if a question is *prematurely* placed before a Superintendent: a formal record once set up cannot be brought to an end except in the recognised, formal way, and I have been frequently puzzled, on such cases coming to Peking, how to justify the action which had set such ponderous machinery in motion. In many instances, the differences which occur are of such a kind, that the merchant's explanation ought to be accepted at once: others are of so trivial a nature, that the rebuke implied in detaining goods or calling for an explanation ought to suffice both for punishment and warning: others again are of a kind to place the merchant so evidently in the wrong, that there ought to be no difficulty in arranging the action to be taken in a friendly way with the Consul:—in all such cases, provided the merchant does not claim a court for joint-investigation, the Commissioner is competent to act without reference to the Superintendent, and when a merchant does demand a joint enquiry, the Superintendent, nine times out of ten, will be only too glad to be represented by the Commissioner, and the latter will continue to have it in his power to come to such an understanding with the Consul as shall provide an adequate punishment for the offence and obviate all necessity for appeal to Peking. Consuls are not naturally less reasonable or less just than other men, and, where they find the Commissioner desirous of arranging matters amicably, they will not, as a rule, object to assist in making things move smoothly at the port. It is fallacious to suppose, that, because action conflicts with *the* principle on which a rule is based, it therefore conflicts with *principle*, and must not be taken: it happens continually that cases do occur demanding exceptional action, and those in which Consuls intervene are generally the very ones which authorise such special treatment. Any matter can easily be talked over privately and unofficially in the first instance, and, that done, a mutual understanding can as easily be arrived at as to the action to be taken; on the other hand, to rush into writing and exchange official despatches,—to assume a high tone, and take up a formal position that cannot be abandoned save with the consciousness of defeat,—and worst of all, to drag the Superintendent prematurely into the arena,—will simply provoke hostility, superinduce weakness, and embitter personal relations. I write thus at length

on this point in order to enforce attention to the dictates of common sense, and to show how expedient it generally is to sink the official in the man. Every allowance ought to be made for the circumstances under which any offence may have been committed, and every weight ought to be conceded to the Consular reasons for thinking such and such treatment would meet the case; interminable disputes about trifles ought to be carefully avoided, for, whether these pigmy battles are won or lost, they only tend to create difficulties for the transaction of other and more important business. Commissioners may rely on the support of the Inspector General, and the approval of the Foreign Board, whenever they effect local settlements of disputes that have originated in breaches, real or supposed, of laws for the protection of the Revenue; and while the Commissioners are thus left to exercise their own discretion in such matters, the only limitation put on them is that they will be expected, on the one hand, to act in accordance with the spirit of the foregoing remarks, and, on the other, to send to the Inspector General full and detailed reports of the circumstances that characterised, and the settlement that terminated, each case, for necessary purposes of record and reference.

The subject of pay

18. The subject of pay is one on which it may be well to offer a few remarks, more especially for the consideration of the junior members of the service. Somewhat erroneous views prevail, as is evident from more than one reply to my Circular No. 13, 1869; but the most curious is that which suggests, that pay and allowances ought to be such as to enable a man to leave China in comfortable circumstances "after *ten* years' service." The pay issued to all classes is fairly liberal, and some of the higher positions may be properly considered prizes; but the life is not the life of mercantile speculation—neither is it the life of an official in a badly paid service, which after long years provides scanty pensions. If it will not make a man suddenly rich to serve in the Customs, neither will it keep him on a starvation allowance and then give him, when he retires, a pension which dies with him: on the contrary, there is no class in the service in which the individual cannot save money, and, without either parsimonious frugality or excessive asceticism, any member of the staff ought to be able to retire after twenty-five or thirty years' service, and before the age of fifty, with a sufficient sum in hand to furnish him with a fair income at home,—a sum which, if, in point of view of the income it produces, inferior to the pensions drawn by high officials who have served as long in more regular services, is at all events immensely superior in another respect, and that is that it enables a man to leave money at his death for the support of those who

depended on him in life. Juniors should therefore exercise both foresight and prudence; they should remember that they have neither pension nor retiring allowance to look forward to, and should, from the very commencement, arrange for the future, putting by ever so little month after month; they should, too, be prepared for and look steadily forward to a period of service extending over twenty-five years at the very least. Promotions will no longer be of so frequent or so rapid occurrence as they have been in the past, but each individual may carry with him the consciousness of the fact, that his pay is fairly liberal,—that it will be increased when his turn comes,—and that it may be regarded as of sufficiently certain duration to banish all uneasiness. Those who, with really good pay, spend all they earn, or even fall into debt, in their pursuit of gaiety, must be content with the return they get for their outlay: they cannot expect to have both that and such Governmental sympathy in addition, in the shape of allowances and pensions, as shall keep them gay in their declining years.

I am, &c.,

(Signed) ROBERT HART.
*I.G.*

THE COMMISSIONERS OF CUSTOMS.

### *Section 41. The Coup d'Etat of 1861*

When the allied forces approached Peking in 1860, the emperor and a great part of his court fled to Jehol in Tartary. Four years before this a son had been borne to him by Yehonala, known as the Kuei Fei Yi, or Concubine of the First Grade, entitled "Feminine Virtue." Yehonala was a member of one of the oldest Manchu clans. She was born in 1835. In 1852, she was chosen by the widow of the emperor Tao Kuang as one of the imperial concubines. On becoming the mother of the only son of the emperor Hsien-feng, her position at court was greatly enhanced.

Yehonala was educated in the classics of China, but during the early years of her power was ignorant of

foreign affairs. She was proud and, according to report, intensely anti-foreign—all of which was natural. It is supposed that she was indirectly responsible for the stubborn policy carried out by Commissioner Yeh in Canton. The means by which the Yi Concubine became ruler of China constitutes one of the most interesting chapters in the history of modern China.

**249. Yehonala crushes the Tsai Yüan conspiracy**

It was originally intended that the Emperor Hsien-Feng should return from Jehol to Peking in the spring of 1861, and a Decree was issued to that effect. In January, however, his illness had become so serious that travelling was out of the question, and this Decree was rescinded.

At Jehol, removed from the direct influence of his brothers, and enfeebled by sickness, the Emperor had gradually fallen under the domination of the Prince Yi* (Tsai Yüan) with whom were associated, as Grand Councillors, the Prince Tuan Hua and the Imperial Clansman Su Shun. These three, recognizing that the Emperor's end was near and that a Regency would be necessary, determined on securing the power for themselves. Prince Yi was nominally the leader of this conspiracy, but its instigator and leading spirit was Su Shun. Tuan Hua, whose family title was Prince Cheng, was the head of one of the eight princely Manchu families, descended in the direct line from Nurhachu's brother. Su Shun was foster brother to this Prince. . . . He had originally been recommended to the notice of the Emperor by the two Princes and soon won his way into the dissolute monarch's confidence and goodwill. From a junior post in the Board of Revenue, he rose rapidly, becoming eventually an Assistant Grand Secretary, in which capacity he attained an unenviable reputation for avarice and cruelty. . . . It was chiefly because of the advice of Su Shun that the Emperor fled his capital at the approach of the Allies, in spite of the urgent appeals of Yehonala and the Grand Council. By his advice also most of the high officials and Metropolitan Ministers were prevented from accompanying the Court, by which means the conspirators were able to exercise steadily increasing influence over the Emperor, and to prevent other advice reaching him. It was only the supreme courage and intelligent grasp of the situation shown by Yehonala, that frustrated the conspiracy at its most critical moment.

The plot

The rise of Su Shun

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*Prince Yi, it will be remembered, was largely responsible for the imprisonment of Mr. Harry Parkes in 1860 [Ed. note].

Immediately after the death of the Emperor, and while the plotters were still undecided as to their final plans, she sent an urgent message secretly to Prince Kung which brought him with all speed to Jehol, where, by the help of Jung Lu and other loyal servants, she put into execution the bold plan which defeated the conspiracy and placed her at the head of China's government. On the day when, the game hopelessly lost, the usurping Regents found themselves in Yehonala's hands and heard her order their summary trial by the Court of the Imperial Clan, Su Shun turned to his colleagues and bitterly reproached them. "Had you but taken my advice and slain this woman," he said, "we should not have been in this plight today".

To return, however, to the beginning of the conspiracy. At the outset, the object of Prince Yi was to alienate the Emperor from the influence of his favourite concubine, Yehonala.* With this object they informed him of the intrigue which, by common report, she was carrying on with the young Officer of the Guards, Jung Lu, then a handsome athletic man of about twenty-five. The Empress Consort they regarded as a negligible factor, whose good-natured and colourless personality took little interest in the politics of the day. . . . The further intentions of the conspirators, instigated by Su Shun, were to massacre all Europeans in the capital and to put to death, or at least imprison for life, the Emperor's brothers. Accordingly they drafted in advance the Decrees necessary to justify and explain these measures, intending to publish them immediately after the Emperor's death, which was now imminent. But here an unforeseen obstacle presented itself, the first of many created for them by the far-seeing intelligence of Yehonala; for they found that she had somehow managed to possess herself of the special seal, which inviolable custom requires to be affixed to the first Edict of a new reign, in proof of validity of succession,—a seal, in the personal custody of the Emperor, which bears the characters meaning "lawfully transmitted authority." Without this seal, any Decrees which the usurpers might issue would lack something of legal finality and, according to Chinese ideas, their subsequent cancellation would be justifiable. But Prince Yi did not feel himself strong enough to risk a crisis by accusing her or taking overt steps to gain possession of it. . . .

Yehonala takes the Imperial Seal

On the 7th of the 7th Moon, Yehonala contrived to despatch a secret courier to Prince Kung at Peking, informing him of the critical condition of his brother and urging him

* I. e., Tzŭ Hsi, the Empress Dowager-to-be [Ed. note].

to send with all haste a detachment of the Banner Corps to which the Yehonala clan belonged. Events now moved swiftly. On the 16th, the Grand Councillors and Ministers of the Presence, all adherents of Tsai Yüan's faction, entered the Emperor's bedroom and, after excluding the Empress Consort and the concubines, persuaded the Emperor to sign Decrees appointing Tsai Yüan, Tuan Hua and Su Shun to be Co-Regents upon his decease, with full powers. Yehonala was to be expressly forbidden from exercising any form of control over the Heir Apparent. As the necessary seal of state had been taken by Yehonala and could not be found, these proceedings were irregular. At dawn on the following day the Emperor died, and forthwith appeared the usual valedictory Decree, prepared in advance by the conspirators, whereby Tsai Yüan was appointed to be Chief Regent, Prince Kung and the Empress Consort being entirely ignored.

The working of the plot

In the name of the new Emperor, then a child of five, a Decree was issued, announcing his succession, but it was observed to violate all constitutional precedent in that it omitted the proper laudatory references to the Imperial Consort. On the following day, however, the Regents, fearing to precipitate matters, rectified the omission in an Edict which conferred the rank of Empress Dowager both on the Empress Consort and on Yehonala. . . . Tsai Yüan's next move was to publish Decrees, in the names of the joint Regents, by virtue of which they assumed charge of the Heir Apparent and by which the title of "Chien Kuo" (practically equivalent to Dictator) was conferred on the Chief Regent, a title heretofore reserved exclusively for brothers or uncles of the Emperor. . . . Prince Kung and the Emperor's other brothers were at this time in secret correspondence with Yehonala, whom they . . . had already recognised as the Master-mind of the Forbidden City. They urged her to do all in her power to expedite the departure of the funeral cortège for the capital. . . . Daily reports were safely despatched to Prince Kung at Peking, and, in the meanwhile, Yehonala affected an attitude of calm indifference, treating Prince Yi with a studied deference which lulled his suspicions.

Start of the funeral cortege for Peking

On the 11th of the 8th Moon, the Board of Regents . . . announced, in the name of the young Emperor, that the funeral cortège would start on its journey to the capital on the second day of the next moon. This was the step for which Yehonala had been working and waiting. As Ministers of the Presence, the Regents were perforce obliged to accompany the coffin throughout the entire journey (some 150 miles) to the capital, and the great weight of the catafalque, borne by one hundred and twenty men, would necessarily

render the rate of progress very slow through the stony defiles of the hills. . . . To the Empresses, the slow progress of the cortège was a matter of vital advantage, inasmuch as they were not to take part in the procession, and, travelling ahead of it, could reach the capital in five days with swift chair-bearers. Dynastic custom and Court etiquette prescribe that upon the departure of the funeral procession, the new Emperor and the consorts of the deceased sovereign should offer prayers and libations, and should then press on so as to be ready to perform similar acts of reverence on meeting the cortège at its destination. Yehonala thus found herself in a position of great strategic advantage, being enabled to reach the capital well in advance of her enemies, and she speedily laid her plans with Prince Kung to give them a warm reception.

Tsai Yüan and his colleagues were well aware that they were placed at grave disadvantage in having to remain behind the young Empress, with every prospect of serious trouble ahead; they, therefore, decided to have Yehonala and the Empress Consort assassinated on the road, and to that end gave orders that they should be escorted by the Chief Regent's personal bodyguard. Had it not been for Jung Lu, who got wind of the plot, the Dowagers would assuredly never have reached the capital alive. Acting with the promptitude which Yehonala inspired, he deserted the funeral cortège by night with a considerable following of his own men, and hastened on to the protection of the Empresses, overtaking them before they reached Ku-pei K'ou, at the end of the pass from the plains into Mongolia, which was the spot where the assassination was to have taken place. . . . They reached Peking on the 29th of the 9th Moon, three full days' journey ahead of the procession. Immediately upon their arrival a secret Council was held, at which were present the Emperor's brothers, together with the Ministers and Imperial clansmen known to be loyal to their cause. . . .

The loyalty of Jung Lu

The cortège was due to arrive at the north-west gate of the city on the morning of the 2nd of the 10th Moon, and on the previous evening Prince Kung posted a large force of troops at this point to prevent any attempt at a *coup de main* by Tsai Yüan's followers. The boy Emperor, accompanied by the Empresses Dowager, came out to meet the coffin as it approached the city, and with him were the late Emperor's brothers and a great following of officials. As the catafalque passed through the gate, the Imperial party knelt and performed the prescribed acts of reverence. Before the coffin came the Imperial insignia, and behind it a large body of Manchu cavalry. Prince Yi and his Co-Regents, having performed their duty in bringing the coffin

safely to the city, next proceeded, as required by custom, to make formal report in person to the young Emperor, upon fulfilment of their charge. For this purpose they were received in a large marquee erected just inside the city gate. Both Empresses were present, together with the late Emperor's brothers and the Grand Secretaries Kuei Liang* and Chou Tsu-p'ei.

Yehonala, calmly assuming, as was her wont, the principal *rôle* and all attributes of authority, opened the proceedings by informing Prince Yi that the Empress Consort and she herself were grateful to him and to his colleagues for the services which they had rendered as Regents and Grand Councillors, of which duties they were now relieved. Prince Yi, putting a bold face on it, replied that he himself was Chief Regent, legally appointed, that the Empresses had no power to divest him of authority properly conferred by the late Emperor, and that, during the minority of the new Emperor, neither she herself nor any other person was entitled to attend audience without his express permission.

The arrest of the conspirators

"We shall see about that," said Yehonala, and forthwith gave orders to the attendant guards to place the three Regents under arrest. The Imperial party then hastened to the Palace to be ready to meet the coffin upon its arrival at the main entrance to the Forbidden City. . . .

Forthwith the Empresses proceeded to regularise their position by issuing a Decree, under the Great Seal of "Lawfully transmitted authority," in which the conspirators and those found on the Grand Council were cashiered and ordered to await the determination of their punishment. Thereafter, in their capacity as Joint Regents, the Empresses duly performed the proper obeisances to the Imperial coffin at the eastern gate of the Palace. . . . Yehonala now proceeded to act more boldly. She issued a second Decree in her own name and that of the Empress Consort, ordering that the three principal conspirators be handed over to the Imperial Clansmen's Court for the determination of a severe penalty. Pending the investigation, which was to be carried out under the Presidency of Prince Kung, they were to be stripped of all their titles and rank. . . . On the 6th of the 10th Moon, Prince Kung and the Imperial Commission sent in their report on the quite perfunctory enquiry into the charges against Tsai Yüan and the other conspirators. In the Decree which followed upon this Report, the offenders were finally disposed of, Tsai Yüan and Tuan Hua being graciously

* The Plenipotentiary appointed to negotiate the Treaties of Tientsin [Ed. note].

permitted to commit suicide, and Su Shun being sentenced to decapitation.

### *Section 42. The Emigration Question*

One of the most disgraceful and unfortunate chapters in the relations of China with Western countries during the nineteenth century is that dealing with the coolie trade. The headquarters for this were in the south, largely at Macao, although Hongkong helped for several years. There was need for cheap labor on the plantations of Cuba, Peru, and other places; and the Chinese were attracted to the gold fields of California and Australia. The emigration to the latter places was free, but to the plantations it was contract. The contract labor was practically slavery of the worst type. Laborers were hired for four dollars a month, and when they did not volunteer in sufficient numbers they were decoyed away and in many cases kidnapped. The imperial government did nothing, partly because it was engaged otherwise than in bothering about the "stupid people" of the south, and because it prohibited the emigration of its subjects and for hundreds of years had looked upon those who emigrated as unpatriotic subjects not worthy of protection. The conditions in Canton became serious, as Consul Alcock's writing shows.

250. Consul Alcock to Sir J. Bowring on kidnappers in Canton, 1859

The acts of violence and fraud connected with the coolie trade at this port have lately reached such a pitch of atrocity that a general feeling of alarm spread through the population, accompanied by the degree of excitement and popular indignation which rendered it no longer possible or safe for any authority interested in the peace of the place to remain inactive. The intolerable extent and character of the evil has thus tended to work its own cure. When no man could leave his own house, even in public thoroughfares and open day, without a danger of being hustled, under false pretences of debt or delinquency, and carried off a prisoner in the hands of crimps, to be sold to the purveyors of coolies

at so much a head, and carried off to sea, never again to be heard of, the whole population of the city and adjoining districts were aroused to a sense of common peril. That under such circumstances the people should attempt to protect themselves by administering a wild justice of their own upon the persons of any of the nefarious gangs of crimps that fell into their hands, was a natural consequence of the supineness of the authorities. And accordingly, within the last ten days, several of the kidnappers have been killed by the mob with the vindictive cruelty to which the Cantonese, under less provocation, are well known to be addicted.

Being highly paid by North and South American and other agents and aided by Portuguese and British as well the crimps, as the Chinese coolie collectors or agents were called, were, as mentioned above, bold in their attacks on unprotected natives. The local Chinese government was interested in improving conditions. The British government was desirous of laborers for the West Indies but wished only voluntary laborers. It therefore interested itself in establishing an Emigration House at Canton for the reception of all coolies who were willing to emigrate to the West Indies. Mr. Parkes rendered great assistance in this work on account of his knowledge of the language and customs of the people. The Emigration House was opened in November, 1859, and worked quite satisfactorily.

**251. Harry Parkes's efforts to systematize emigration**

I have been very busy during the last month in establishing a system of Chinese emigration with the full sanction and also co-operation of the Governor-General of these provinces. It will I trust be the means (with God's blessing) of putting a stop to the infamous practice of man-stealing which has been carried on here to a great extent during the last two years, and which was fast gaining for the foreigners a worse name than any they have hitherto held in the opinion of the people. Vessels have been lying at Whampoa, six or seven at a time, receiving the Chinese brought to them by coolie-brokers or crimps, many of whom were kidnapped owing to the premium offered by the foreigners for every Chinese that the brokers brought them. The foreigners

may affect all ignorance of their being thus kidnapped, but morally they are as criminal as their wretched Chinese agents. I have got the Chinese authorities to put the traffic under strict prohibitions at Whampoa, but to throw it open at Canton under certain regulations, which provide for the registration of every emigrant before Chinese officers, and for the inspection of the depots by allied officers. In this mode it will be impossible for emigrants who are thus engaged to be taken off against their will, and I am in hopes that the system will prove so much *cheaper* than that of man-stealing that those foreigners who do not adopt it from motives of morality will do so with a view to economy.

Unhappily the efforts of the British government were not able to overcome the temptations of certain of its own nationals and it could not interfere directly with the citizens of other countries and the trade went on.

Early in May, 1871, the Peruvian ship *Don Juan* sailed from Macao bound for Peru. It shortly caught frie and burned when a short distance from Hongkong. There were six hundred fifty coolies on this ship, and of these almost five hundred were burned, suffocated, or drowned. About fifty reached Hongkong and their evidence was taken by the police magistrates of the colony. The statement selected here gives a good idea of the methods used by the crimps in decoying laborers to the barracoons from which they were shipped to foreign countries.

252. Deposition of one who was kidnapped

I am 23 years of age. I was born in Sa-chen village, in the Sun-on district, about one day's journey from Hong-Kong. My father is the owner of a passage-boat, plying between Hong-Kong and Sacheng; and I used to work as an oyster cultivator at my native place.

In last month of last year my father wanted me to go in the passage-boat to look after things generally, and I did so. I was intrusted with 30 dollars, to buy opium for neighbours, and arrived in Hong-Kong. . . . On the 19th I thought I might make some money out of the 30 dollars, and I went to a gambling-house in Hong-Kong, and there lost 10 dollars; I had then 20 dollars, but I did not buy the opium, but returned home on the 20th of April. I did not

tell anybody about the loss of the money, except a clansman of my village, named Chan-a-Chan. Chan-a-Chan is a person who used to be a sailor, but got his arm hurt in a piratical attack, and now does no manual labour. I have known him since childhood. He said to me that there were plenty of gambling-houses, and that if I went with him he would put me up to the way to make the 10 dollars by gambling. He gave me some instructions, and I said to him, "I don't like going to Macao, as there are many people kidnapped there, and I fear to go." He then said, "I am your clansman, and you need not fear me; I would not betray you." I was still suspicious, and he took me to a temple, and there, before the gods, took an oath like the following:—

"I am going to take this man, Chan-a-Sin, to Macao; but if I ever should betray or kidnap him, may I be drowned, or never see my native place again, or may I have no son to see my latter end."

With this I was satisfied, and started with him for Macao on the 22nd of April. When we got to Macao, Chan-a-Chan took me to a house, and introduced me as a friend who had come to Macao to make some money. . . . I stayed there four days, and was well treated. I did not go to a gambling house; Achan said there was no hurry. One day he said to me, "I can put you on a plan of making 30 dollars. There are a great many men shipped as coolies for Annam, and often many of them are rejected because they are weak, and blind, but you are a well-looking fellow, and are sure to pass. There is a man called Cheung-a-Fuk, who wishes to go aboard as an emigrant, but he is lame and will not pass; and you have only to call yourself Cheung-a-Fuk, and on the day that you are to ship, Cheung-a-Fuk will take your place." I was to get 30 dollars for this. I expressed fear that I would be deceived, but Achan went and brought a man who called himself Cheung-a-Fuk, and who said he wished to go. A-Fuk asked me to go and assume his name for a few days, "and on the day of embarkation," he said, "I will go and take my own place and relieve you." He added, "I cannot pass, as I am lame." I was finally persuaded to go, and on the 1st May I was taken to a barracoon by A-Chan. I left my 20 dollars in a pillow box, also my clothes, and gave A-Chan my keys. He gave me old clothes to put on. When I went to the barracoon there were about 100 Chinese there. A-Chan told me to say that I was called Cheung-a-Fuk; that I was 20 years of age; that I came from Toong-Kong, and that I was willing to go. He told me that I must not speak to any of the coolies. He said if I said I was unwilling to go, that I would be sent to a dungeon for three years, and that then I would be sent to Hong-Kong, to gaol, for three

years. A-Chan told me that I could go out of the barracoon.

On the evening of the 1st May, same day that I went to the barracoon, a Portuguese and a Chinese came in, and the Chinese said, speaking loudly, "Are you men willing to go abroad to some place (the name of which I cannot recollect), for eight years, at wages 4 dols. per month? He then said, "At the end of eight years you will be allowed to return if you wish; and as to wages, you may get an advance if you are industrious." The interpreter further said, "If you are unwilling to go, I will take you out," addressing the whole of us. The interpreter asked me my name, my age, and where I came from, and I answered as I was instructed. He asked me if I was deceived in coming, and if I was willing to go; but I did not answer, as I was afraid of being put in a dungeon if I said I was unwilling. The Portuguese looked like an official. I did not see him again, nor was I taken out of the barracoon until the day of my embarkation. I spoke to nobody in the barracoon, nor did any of the coolies speak to me.

I tried to go out on the 1st May, but I was prevented by a Portuguese, who kept the door. He struck me with a rope, and I went back. I had plenty to eat in the barracoon. I smoked opium and slept.

On the 3rd May, a Portuguese came and gave me 8 dols. and a suit of clothes, a pair of shoes, a bamboo hat, and a paper in Chinese and a foreign language. I did not sign any paper, nor was it explained to me. Every one in the barracoon got eight dollars. On the 3rd May, at 1 o'clock, we were taken on board the large ship. Two soldiers with guns and bayonets went with us. There were fifty of us went in one batch. I expected to be relieved by Cheung-a-Fuk when I got on board. He did not come. I cried. I saw about 630 men on board. I saw about 500 crying. They said they were deceived by some one. I said I was deceived. I told a Portuguese, but no attention was paid to me.

Sir Rutherford Alcock, the former consul at Foochow, Shanghai, and Canton became English Minister at Peking in 1865. At this time the governments of most of the Western powers were anxious to settle in a humane fashion the emigration question. On March 5, 1866, the British and French envoys signed with the Chinese representatives a convention providing for the regulation of recruitment and the conditions under which the coolies

were to work. The envoys of America, Russia, and Prussia formally approved this convention.

**253. Attempt to form an emigration convention**

To efface this blot on civilisation was the first object which engaged the attention of Sir Rutherford Alcock in Peking. The Chinese Government itself had remained for many years callous to the cruelties perpetrated on its subjects; but this was in keeping with its tolerant habit, its blindness to things disagreeable, and its constitutional aversion to overt action of any kind. The Peking authorities seem, however, to have been at last aroused by the interest in the question evinced by foreign Governments, and in 1866 the Chinese Ministers were induced to join the foreign Powers in devising means to ameliorate the condition of the emigrants. The suggestions of Prince Kung were practical and well directed towards a solution of the problem. . . . Sir Rutherford Alcock found his French colleagues in Peking as amenable as he had found those in Yedo. The consequence was that, as the result of the winter's labours, a tripartite convention for the regulation of coolie emigration was signed in March 1866 by the British and French Ministers and Prince Kung. The convention was approved by the Ministers of Russia, the United States, and Prussia, though they were not parties to it. But the French Government took exception to certain of its provisions, and deferred ratification until these should be modified. The British Colonial Office and Emigration Board fell in with the views of the French Government. The settlement of the question was thereupon shifted from Peking to Paris and London, when voluminous correspondence ensued between the two Foreign Offices, extending through the years 1866, 1867, and into 1868. . . . It may suffice to say that after eighteen months of earnest work a "Projet de Règlement International d'Emigration" was completed in twenty-three articles with subsidiary forms, and was despatched to Peking at the end of 1867, the discussions having resulted in the retention of almost the entire text of the original convention—a fact which reflected no small credit on the Ministers in Peking who had drawn it up.

**Failure**

But when the time came for resuming negotiations in the Chinese capital, the Government there had relapsed into its habitual apathy respecting the welfare of its people. Possibly, also, the zeal of the resident Ministers of France and England may have cooled during the interval which had elapsed since their previous efforts. . . . The attempt to regulate emigration by a comprehensive international

agreement was tacitly abandoned, and the evils of the coolie trade were left to be dealt with sporadically.

Free emigration from Hongkong—that is to say, of emigrants who paid their own passage—proceeded all the while on an extensive scale. But the laws of the colony did not permit contract emigration except to British colonies, and under elaborate supervision both at embarkation and after arrival at the field of labour. Although coolie ships could not be despatched from Hongkong, a certain amount of indirect participation in the traffic was maintained for some years by residents in the colony who supplied fittings for the coolie ships preparatory to their proceeding to the port of embarkation. Colonial legislation, however, gradually put an end to this, and successive ordinances so narrowed the field of the contractors' operations that the trade, both direct and indirect, was practically extinguished so far as Hongkong was concerned. A declaration by the Chief Justice in 1873 summed up the various prohibitory laws by enacting that the coolie trade would be treated as a slave trade, aiding or abetting which would be felony. In the year following, the Portuguese Government, yielding to the friendly pressure that had been for a long time put upon them, passed a law prohibiting the coolie trade at Macao.

Final break-up of the coolie trade

In 1874 the Chinese government sent a commission to Cuba to carry on an official inquiry as to the conditions among Chinese laborers in that island. As a result of this inquiry a convention was signed with Spain in 1877 which contained humanitarian provisions. Before this, emigration from Macao had ceased.

254. Summarization of testimony on conditions of coolies in Cuba

The depositions and petitions show that eight-tenths of the entire number declared that they had been kidnapped or decoyed; that the mortality during the voyage from wounds caused by blows, suicide and sickness exceeded ten per cent.; that on arrival in Havana they were sold into slavery, a small proportion being disposed of to families and shops, whilst the large majority became the property of sugar planters; that the cruelty displayed even towards them of the former class is great, and that it assumes, in the case of those of the latter, proportions that are unendurable. The labour, too, on the plantations is shown to be excessively severe, and the food to be insufficient; the hours of labour are too long, and the chastisements by rods, whips, chains, stocks, etc., productive of suffering and injury. During the

past years a large number have been killed by blows, have died from the effects of wounds, and have hanged themselves, cut their throats, poisoned themselves with opium, and thrown themselves into wells and sugar caldrons. It was also possible to verify, by personal inspection, wounds inflicted on others, the fractured and maimed limbs, blindness, the heads full of sores, the teeth struck out, the ears mutilated, and the skin and flesh lacerated, proofs of cruelty patent to the eyes of all. On the termination of the contracts the employers, in most cases, insist on a renewal of engagements, which may extend to even more than ten years, and during which the same system of cruelty is adhered to. . . . Moreover, since 1861 the issue of cedulas has ceased, rendering liability to arrest universal . . . and to their being carried away to the endless misery of a depot. . . . Almost every Chinese met by us was, or had been, undergoing suffering, and suffering was the purport of almost every word we heard; and these men were seen by us all, and these words were heard by us all.

Emigration of Chinese laborers to the United States was free—not contract. Immigrants arrived from all nations attracted by the reports of gold. At first the Chinese were well treated, but by the beginning of the third quarter of the century they had aroused opposition to themselves largely on economic grounds. They were badly treated in many places; these local disputes between American and Chinese laborers were a source of embarrassment to both federal and state authorities in America and to the Chinese government. Negotiations with China were begun and a commission appointed. The result was the signing, in Peking, on November 17, 1880, of two treaties dealing with the questions of emigration, and of commerce. The former treaty is given here in part.

**255. American-Chinese Immigration Treaty, 1880**

Whereas the Government of the United States, because of the constantly increasing immigration of Chinese labourers to the territory of the United States, and the embarrassments consequent upon such immigration, now desires to negotiate a modification of the existing treaties which will not be in direct contravention of their spirit. . . .

Art. I.—Whenever, in the opinion of the Government of the United States, the coming of Chinese labourers to the United States, or their residence therein, affects, or threatens to affect, the interests of that country, or to endanger the good order of any locality within the territory thereof, the Government of China agrees that the Government of the United States may regulate, limit, or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable, and shall apply only to Chinese who may go to the United States as labourers, other classes not being included in the limitation. Legislation in regard to Chinese labourers will be of such a character only as is necessary to enforce the regulation, limitation, or suspension, of immigration, and immigrants shall not be subject to personal maltreatment or abuse.

Art. II.—Chinese subjects, whether proceeding to the United States as traders or students, merchants, or from curiosity, together with their body and household servants, and Chinese labourers who are now in the United States, shall be allowed to go and come of their own free will and accord and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favoured nation. . . .

Done at Peking, this 17th day of November, in the year of our Lord one thousand eight hundred and eighty, Kuang Hsu sixth year, tenth moon, fifteenth day. Signed and sealed by the above-named Commissioners of both Governments.

(Signed) JAMES B. ANGELL.
„ JOHN F. SWIFT.
„ WILLIAM H. TRESCOTT.
„ PAO CHUN.
„ LI HUNG-TSAO.

The signing of the treaty quoted above did not permanently settle the immigration question. Finally, after more friction in the western states of the American union, another treaty was signed between the United States and China at Washington, on March 17, 1894. This treaty was denounced by China in 1904. Since this time, the question of immigration has not been handled by treaty.

**256. American-Chinese Immigration Prohibition Treaty 1894**

Whereas, on the 17th of November, A. D. 1880 . . . a treaty was concluded between the United States and China for the purpose of regulating, limiting, or suspending the coming of Chinese labourers to and their residence in the United States, and, whereas, the Government of China, in view of the antagonism and much depreciated and serious disorders to which the presence of Chinese labourers has given rise in certain parts of the United States, desires to prohibit the emigration of such labourers from China to the United States; and, whereas, the two Governments desire to co-operate in prohibiting such emigration and to strengthen in many ways the bonds of relationship between the two countries . . . have agreed upon the following articles:—

Art. I.—The high contracting parties agree that for a period of ten years, beginning with the date of the ratifications of this Convention, the coming, except under the conditions hereinafter specified, of Chinese labourers to the United States shall be absolutely prohibited.

Art. II.—The preceding article shall not apply to the return to the United States of any registered Chinese labourer who has a lawful wife, child, or parent in the United States or property therein of the value of $1,000, or debts of like amount due to him and pending settlement. . . .

Art. III.—The provisions of the convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants, or travellers for curiosity or pleasure, but not labourers, of coming to the United States and residing therein. . . .

Art. IV.—In pursuance of Article 3 of the Immigration Treaty between the United States and China, signed at Peking on the 17th day of November, 1880, it is hereby understood and agreed, that Chinese labourers or Chinese of any other class, either permanently or temporarily residing in the United States, shall have for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the more favoured nations, excepting the right to become naturalized citizens. And the Government of the United States reaffirms its obligations, as stated in the said Article 3, to exert all its power to secure protection to the person and property of all Chinese subjects in the United States. . . .

Done, in duplicate, at Washington, the 17th day of March, A. D. 1894.

WALTER Q. GRESHAM,
*Secretary of State.*

YANG YUI,
*Chinese Minister to the United States.*

### *Section 43. The Burlingame Mission*

Shortly after the Macartney mission of 1793, the Dutch sent an embassy to China. Van Braun, the second member and the historian of the party made the following observation in his history: "A kind of miracle must be accomplished before the idea of sending a Chinese as an envoy to other nations can enter a Chinese head." Nevertheless, not quite three quarters of a century later, the imperial government did send a delegate whose duty it was to "investigate and report" on what he saw. This delegate was Pinchun, a Manchu, who accompanied Mr. Robert Hart to Europe when the latter went home on leave in 1866. Pinchun was too conservative to be pronouncedly successful in his new position and the venture was, generally speaking, a failure.

The American Minister to Peking at this time was Mr. Anson Burlingame, a native of New York, who had been appointed to China in 1861. In November, 1867, every one was astonished to hear that Mr. Burlingame had been nominated for and had accepted the position of "High Minister Extraordinary and Plenipotentiary" to represent China in the leading courts of the West. An anecdote portraying some of the characteristics of such a man is interesting.

257. An anecdote concerning Mr. Burlingame

In 1868 came the affair of the Burlingame Mission, with which—as with all the other events of the time in China—Robert Hart had much to do. Mr. Burlingame was then United States Minister in Peking, a personal friend of the I. G.'s and a most charming man with a genius for hospitality. Nothing pleased him more than to see half a dozen nationalities seated at his table. At one of these little dinners Burlingame noticed that a certain discussion was growing too serious and heated. Some of his guests were on the point of losing their tempers, for Envoys Extraordinary dislike being disagreed with, even by Ministers Plenipotentiary. He therefore picked up his glass of sherry in the most courtly

manner in the world, held it to the light, studied it critically from every point of view, turning it now this way, now that.

"Look," said he suddenly, addressing the table in his most charming manner, "did you ever see sherry exactly like that before? Do you notice its peculiar colour? See how it shines—yellow in one light, reddish brown in another."

When he had drawn the interest he went on to give the most delightful little lecture on sherries, their similarities, their differences, and their making, till the whole table listened with rapt attention, and, listening, forgot their perilous discussion and the heat and irritation they had spent upon it.

These very qualities of tact and polish, combined with dignity and agreeable manners, made Mr. Burlingame popular with the courtly Chinese officials, and when he was about to return to his own country some of the Wai-Wu-Pu (Foreign Office) Ministers asked him to speak a good word for China in the United States. "Was not that an excellent idea?" they asked the I. G. next day. He agreed, and out of this trivial incident grew the Burlingame Mission to all the courts of Europe. Alas! the idea was visionary rather than practical, and doomed to disappointment—a disappointment which, luckily, Mr. Burlingame never felt keenly, since he died at St. Petersburg while his tour was still uncompleted.

It has been suggested* that possibly the ministers of the imperial government were aware that an embassy sent in 1861 by Japan to the European powers had been successful in its objects of delaying the opening of certain ports to trade for a period of five years. Mr. Burlingame's description of his appointment was written for the American Secretary of State, Mr. William Henry Seward. This statesman had, on December 15, 1865, instructed Mr. Burlingame to state to the Chinese government that the American president would be gratified by the appointment to Washington by that government of "a diplomatic representative of a grade corresponding with" Mr. Burlingame's.

* F. W. Williams: *Anson Burlingame, etc.*, p. 88.

258. Mr. Burlingame to Mr. Seward: the inceptfon of the Mission

You will have learned from my telegram from Peking of my appointment by the Chinese Government as "envoy" to the treaty powers, and of my acceptance of the same. The facts in relation to the appointment are as follows: I was on the point of proceeding to the treaty ports of China to ascertain what changes our citizens desire to have made in the treaties, provided a revision should be determined upon, after which it was my intention to resign and go home. The knowledge of this intention coming to the Chinese, Prince Kung gave a farewell dinner, at which great regret was expressed at my resolution to leave China, and urgent requests made that I would, like Sir Frederick Bruce, state China's difficulties, and inform the treaty powers of their sincere desire to be friendly and progressive. This I cheerfully promised to do. During the conversation Wênsiang, a leading man of the empire, said, "Why will you not represent us officially?" I repulsed the suggestion playfully, and the conversation passed to other topics.

Subsequently I was informed that the Chinese were most serious, and a request was made through Mr. Brown, Chinese secretary of the British legation, that I should delay my departure for a few days, until a proposition could be submitted to me. I had no further conversation with them until the proposition was made in form, requesting me to act for them as ambassador to all the treaty powers. I had in the interim thought anxiously upon the subject, and, after consultation with my friends, determined, in the interests of our country and civilisation, to accept. The moment the position was formally tendered I informed my colleagues of all the facts, and am happy to say that they approved of the action of the Chinese, and did all they could to forward the interests of the Mission. J. McLeavy Brown, Esq., Chinese secretary of the British legation, was persuaded, in the common interest, to act as first secretary to the Mission, and Mr. Deschamps, a French gentleman, who had accompanied Ping on a visit to Europe, was selected as second secretary. Two Chinese gentlemen of the highest rank were selected from the Foreign Office to conduct the Chinese correspondence, and as "learners". My suite will number about thirty persons. I shall leave for the United States by the February steamer for California. I limit myself in this note to the above brief history of the Mission, reserving my reasons for accepting it to a personal interview at Washington.

I may be permitted to add that when the oldest nation in the world, containing one-third of the human race, seeks, for the first time, to come into relations with the West, and requests the youngest nation, through its representative, to

act as the medium of such change, the mission is not one to be solicited or rejected.

When the announcement of the appointment of Mr. Burlingame as Chinese envoy was made it was suspected by the editor of the *North-China Herald* that Mr. Robert Hart, the Inspector General of the Customs, was intimately connected with the appointment. This gentleman wrote for the issue of December 14, 1867: "We would rather believe that the counsel originated in Mr. Hart's brain." Mr. Hart was a trusted adviser of the imperial ministers and he *was* intimately connected with the sending of the new embassy, as his *Note on Chinese Matters* of June 30, 1869, shows. To say, however, that he was wholly responsible would probably be an exaggeration.

**259. Note on Chinese matters, by Robert Hart, Peking, June 30, 1869**

Ever since my first arrival in Peking in 1861 I have been urging the Yamên to move in the direction of what the West understands by the word Progress, and on scarcely any point have I spoken more strongly or more frequently than on the necessity for the establishment of a resident mission at the Court of every Treaty Power. . . . I regarded representation abroad as of paramount importance and as, in itself, progress, for, while I thought that I saw in it one of China's least objectionable ways of preserving freedom and independence, I also supposed it would constitute a tie which should bind her to the West so firmly and commit her to a career of improvement so certainly as to make retrogression impossible. . . .

**The first step**

As a first step, and by way of demonstrating to the official class that the West can be safely visited, and that the journey is neither very fatiguing nor very dangerous, I induced the Yamên to send Lao-yeh Pin and his party to Europe with me in 1866, and, on my return to Peking at the end of that year, I continued to argue for another forward movement. Thus it came to pass that, in September and October, 1867, the matter of representation abroad was talked of every time I went to the Yamên. Once Tan-ta-jen told me that, in a week or two, a decision would be communicated to me, showing that the government was about to act at once on my advice. Wên ta-jen added that if I could be spared from

Peking it was in contemplation to appoint myself to accompany the Chinese official on whom their choice was most likely in the first instance to fall. . . . Some days after . . . Mr. J. McL. Brown told me that the Yamên had it in contemplation to appoint Mr. Burlingame to be its representative to the treaty powers, and asked me what I thought of it. I at once said that the notion ought to be supported, and on the following day I went to the Yamên and spoke, very strongly in its favour. Tung-ta-jen said to me: "We were already seven or eight parts inclined to do it, but now that you approve of it so fully, we really are twelve parts for it: that is we thought well of it before; we think more of it now." . . .

Object of the mission

The object with which the Yamên dispatched the Mission, as I understood it at the time, was to cultivate and conserve friendly relations by explaining to each of the Treaty Powers the many difficulties that China cannot fail to experience in attempting to change existing conditions or to introduce novelties; to bespeak forbearance, and prevent, in so far as possible, any resort to hostile pressure to wring from China concessions for which the Government did not as yet feel itself ready, and to prepare the way generally for the day when China should not merely hear the words of foreign representatives in Peking, but should be able to address each Government in its own Capital through a resident Chinese medium.

So far as newspaper reports go, the object of the Mission has been misinterpreted, and the public have regarded it as promising, on the part of China, the immediate performance of those very things which China sent the Mission to explain to the West are so difficult of performance; the impression created by the sending of such a Mission has besides been one that a generous, but ignorant and unreasoning public has itself done much to puff into still farther dimensions. Nothing but complete ignorance of China could have permitted the public to assume that the vast changes now looked for are regarded as necessary and longed for by China herself, and nothing could well be more unreasonable than to suppose that such changes—even if felt by China to be called for—could be hurried forward and given effect to in the short time in which the West seems to expect them.

The mission left Shanghai toward the end of February, 1868; the first banquet to the party on American soil was given in San Francisco early in April. On the sixth of June the mission was received by the president of the United States. On the twenty-third of the same month,

at a banquet tendered the mission in New York City, Mr. Burlingame gave a speech which has sometimes been referred to as the "let-'er-go, and let-'er-alone" speech.

**260. Burlingame's speech in New York, June 23, 1868**

You have given a broad and generous welcome to a movement made in the interests of all mankind. We are but the humble heralds of the movement. It originated beyond the boundaries of our own thoughts and has taken dimensions beyond the reach of our most ardent hopes. That East, which men have sought since the days of Alexander now itself seeks the West. China, emerging from the mists of time but yesterday suddenly entered your Western gates, and confronts you by its representatives here to-night. What have you to say to her? She comes with no menace on her lips. She comes with the great doctrine of Confucius, uttered two thousand three hundred years ago, "Do not unto others what you would not have others do unto you." Will you not respond with the more positive doctrine of Christianity, "We will do unto others what we would have others do unto us?" She comes with your own international law; she tells you that she is willing to come into relations according to it, that she is willing to abide by its provisions, that she is willing to take its obligations for its privileges. She asks you to forget your ancient prejudices, to abandon your assumptions of superiority, and to submit your questions with her, as she proposes to submit her questions with you—to the arbitrament of reason. She wishes no war; she asks of you not to interfere in her internal affairs. She asks of you not to send her lecturers who are incompetent men. She asks you that you will respect the neutrality of her waters and the integrity of her territory. She asks, in a word, to be left perfectly free to unfold herself precisely in that form of civilisation of which she is most capable. She asks you to give to those treaties which were made under the pressure of war a generous and Christian construction. Because you have done this, because the Western nations have reversed their old doctrine of force, she responds, and in proportion as you have expressed your goodwill, she has come forth to meet you; and I aver, that there is no spot on earth where there has been greater progress made within the past few years than in the Empire of China. She has expanded her trade, she has reformed her revenue system, she is changing her military and naval organisations, she has built or established a great school where modern science and the foreign languages are to be taught. She has done this under every adverse circumstance. She has done this after a great war lasting through thirteen years, a war out of which she comes

Confucius and the Christian Golden Rule

What China asks

with no national debt. You must remember how dense is her population. You must remember how difficult it is to introduce radical changes in such a country as that. The introduction of your own steamers threw out of employment a hundred thousand junkmen. The introduction of several hundred foreigners into the civil service embittered, of course, the ancient native employees. The establishment of a school was formidably resisted by a party led by one of the greatest men of the empire. Yet, in defiance of all these, the present enlightened Government of China has advanced steadily along the path of progress, sustained, it is true, by the enlightened representatives of the Western powers now at Peking, guided and directed largely by a modest and able man, Mr. Hart, the inspector-general of customs, at the head of the foreign employees in the Empire of China. . . . Yet, notwithstanding this manifest progress there are people who will tell you that China has made no progress, that her views are retrograde; and they tell you that it is the duty of the Western treaty powers to combine for the purpose of coercing China into reforms which they may desire and which she may not desire—who undertake to say that this people have no rights which you are bound to respect. In their coarse language they say, "Take her by the throat." Using the tyrant's plea, they say they know better what China wants than China herself does. Not only do they desire to introduce now the reforms born of their own interests and their own caprices, but they tell you that the present dynasty must fall, and that the whole structure of Chinese civilisation must be overthrown. I know that these views are abhorred by the governments and the countries from which these people come; but they are far away from their countries, they are active, they are brave, they are unscrupulous, and if they happen to be officials, it is in their power to complicate affairs and to involve, ultimately, their distant countries in war. Now it is against the malign spirit of this tyrannical element that this Mission was sent forth to the Christian world. It was sent forth that China might have her difficulties stated. That I happened to be at the head of it was, perhaps, more an accident than any design. It was, perhaps, because I had been longer there than any of my colleagues, and because I was about to leave; and perhaps, more than all, because I was associated with the establishment of the co-operative policy which by the aid of abler men than myself was established not many years ago; and it is to sustain that policy—which has received the warm approval of all the great treaty powers, and which is cherished by China—that we are sent forth. It is in behalf of that generous policy, founded on principles of eternal justice, that I would rally the strongest thing on earth, the

Differing views as to China's needs

Reason for China's sending the mission

enlightened public opinion of the world. Missions and men may pass away, but the principles of eternal justice will stand. I desire that the autonomy of China may be preserved. I desire that her independence may be secured. I desire that she may have equality, that she may dispense equal privileges to all nations. If the opposite school is to prevail, if you are to use coercion against that great people, then who are to exercise the coercion, whose force are you to use, whose views are you to establish? You see the very attempt to carry out any such tyrannical policy would involve not only China, but would involve you in bloody wars with each other. There are men—men of that tyrannical school—who say that China is not fit to sit at the council board of the nations, who call her people barbarians, and attack them on all occasions with a bitter and unrelenting spirit. These things I utterly deny. I say, on the contrary, that that is a great, a noble people. It has all the elements of a splendid nationality. It is the most numerous people on the face of the globe; it is the most homogeneous people in the world; it has a language spoken by more human beings than any other in the world, and it is written in the rock. It is a country where there is greater unification of thought than any other country in the world. It is a country where the maxims of great sages, coming down memorised for centuries, have permeated the whole people, until their knowledge is rather an instinct than an acquirement; a people loyal while living, and whose last prayer, when dying, is to sleep on the sacred soil of their fathers. . . .

Two ways to treat China

Dangers to China

China, seeing another civilisation approaching on every side, has her eyes wide open. She sees Russia on the north, Europe on the west, America on the east. She sees a cloud of sail on her coast, she sees the mighty steamers coming from everywhere—how on. She feels the spark from the electric telegraph falling hot upon her everywhere; she rouses herself, not in anger, but for argument. She finds that by not being in a position to compete with other nations for so long a time she has lost ground. She finds that she must come into relations with this civilisation that is pressing up around her, and feeling that she does not wait but comes out to you and extends to you her hand. She tells you she is ready to take upon her ancient civilisation the graft of your civilisation. She tells you she is ready to take back her own inventions, with all their developments. She tells you that she is willing to trade with you, to buy of you, to sell to you, to help you strike off the shackles from trade. She invites your merchants, she invites your missionaries. She tells the latter to plant the shining cross on every hill and in every valley. For she is hospitable to fair argument. . . .

How to deal with China

Let her alone; let her have her independence; let her develop herself in her own time and in her own way. She has no hostility to you. Let her do this, and she will initiate a movement which will be felt in every workshop of the civilised world. She says now: "Send us your wheat, your lumber, your coal, your silver, your goods from everywhere—we will take as many of them as we can. We will give you back our tea, our silk, free labour, which we have sent so largely out into the world." It has overflowed upon Siam, upon the British provinces, upon Singapore, upon Manila, upon Peru, Cuba, Australia, and California. All she asks is that you will be as kind to her nationals as she is to your nationals. She wishes simply that you will do justice. She is willing not only to exchange goods with you, but she is willing to exchange thoughts. She is willing to give you what she thinks is her intellectual civilisation in exchange for your material civilisation. Let her alone, and the caravans on the roads of the north, towards Russia, will swarm in larger numbers than ever before. Let her alone, and that silver which has been flowing for hundreds of years into China, losing itself like the lost rivers of the West, but which yet exists, will come out into the affairs of men. . . . The imagination kindles at the future which may be, and which will be, if you will be fair and just to China.

China's future

From the United States the mission proceeded to England, reaching London in September. Here the reception was not so cordial as in America. Toward the end of November the envoys were received at Windsor Castle by Queen Victoria. On December 26, Lord Clarendon, the Foreign Minister who had recently succeeded Lord Stanley, received Mr. Burlingame. Two days later, the Foreign Minister wrote a long letter to Mr. Burlingame, laying down the policy of his country. This policy has been bitterly criticized by many as being weak and wobbly, where a firm one was necessary. It has often been contrasted with the firm policy of Lord Palmerston. Although the reception accorded the Burlingame Mission in England was cold, the results attained were more important by far than those effected in the United States.

261. Lord Clarendon's letter to Mr. Burlingame, December 28 1868

Foreign Office, *December* 28, 1868.

Sir : I gathered, from the conversation which I had the honour to have with you on the 26th inst.. that the objects of the Chinese Government in sending a diplomatic mission to Europe were twofold; one, that by means of such a mission the European powers might be disabused of an impression which it was supposed at Peking that they entertained, that the Chinese Government had entered upon a retrograde policy, and contemplated not only refusal to enlarge their relations with Christian nations, but even restrictions within narrower limits of the intercourse which, under treaty, those nations were entitled to hold with the Chinese dominions; the other, to depreciate any intention on the part of European powers to bring to bear on China any amount of unfriendly pressure to induce her rulers to enter precipitately on a new system of policy which would seriously affect her independence.

I understood from you that the Chinese Government were fully alive to the expediency, or even necessity, for their own interests, of facilitating and encouraging intercourse with foreign nations ; for they were sensible of the advantages that would result from a greater assimilation of their rules and practice to those of other nations, and from the adoption of the improvements by which the industry of Europe has been so much developed and the happiness of its people so much increased; but that with all this they felt that any attempt abruptly to introduce new systems or new ideas among a people whose knowledge of foreign nations was of recent date, and who had been brought up under a traditional system, to which they had been accustomed and were attached, would not only produce confusion and even revolution in the country, but would tend to retard instead of promoting the progress, the necessity for which the Chinese Government fully admitted and were desirous to encourage, though they wished to be allowed to do so by degrees, and without any sudden and violent shock to the feelings, passions, and even prejudices of their people.

China's desires

Her Majesty's Government, I informed you in reply, fully admitted that the Chinese Government were entitled to count upon the forbearance of foreign nations; and I assured you that, as far as their country was concerned, there was neither a desire nor intention to apply unfriendly pressure to China to induce her Government to advance more rapidly in her intercourse with foreign nations than was consistent with safety and with due and reasonable regard for the feelings of her subjects.

England's attitude

But her Majesty's Government, I said, expected from China a faithful observance of the stipulations of existing

England's expectations

treaties, and reserved to themselves the right of employing friendly representation to induce the Chinese Government to advance in the course opened up by those treaties, and to afford greater facilities and encouragement and protection to the subjects of foreign powers seeking to extend commercial intercourse with the Chinese people.

Her Majesty's Government feel that they may fairly appeal to the Chinese Government, though always in terms of friendship, to act in this spirit toward themselves and other foreign nations; and they would do so with the more confidence because they may be excused for believing that the interests of China will be advanced in a far greater degree than those of foreign nations, by steadily availing herself of the opportunities within her reach for applying to her empire the skill and experience of the nations of Europe.

But her Majesty's Government are, moreover, entitled to expect from China as an indispensable condition of their goodwill, the fullest amount of protection to British subjects resorting to her dominions. They are aware that the provincial governors are too often in the habit of disregarding the rights of foreigners, trusting to impunity as regards the Central Government of Peking, and to the unwillingness of foreign powers to assert the rights of their subjects by local pressure.

Central vs. local government in China

Her Majesty's Government feel that they are acting in the interest of the Chinese Empire when they announce their preference rather for an appeal to the Central Government than to local authorities for the redress of wrongs done to British subjects. It is with the Central Government and not with the provincial authorities that foreign powers have entered into treaties, and it is for the interest of the Central Government that foreign powers should recognise its supreme authority over its provincial governors, and that the Central Government should assume, and, on all occasions when appealed to for the redress of local wrongs, be prepared to exercise that authority.

These observations will, I trust, enable you to reassure the Government of Peking as to the friendly feelings entertained toward it by the British Government. It rests with the Central Government so to order its intercourse with Great Britain and the Queen's subjects as to avoid cause of difference and to preserve unimpaired the friendship of this country.

I have only to add, that all her Majesty's agents in China have been instructed to act in the spirit and with the objects which I have thus explained to you; and generally to caution British subjects to pay due respect not

only to the laws of the empire, but, as far as may be, to the usages and feelings of the Chinese people.

I am, &c.,

CLARENDON.

Leaving London, Mr. Burlingame and his suite visited several European capitals and other cities; finally they went to St. Petersburg, and here, on February 23, 1870, after a brief illness, Mr. Burlingame died.

Before leaving China, the envoy to the powers had had conferred on him the red button of the First Civil Rank; after his death, the emperor bestowed on him still higher honors. Mr. F. W. Williams, the biographer of Mr. Burlingame, discusses the meaning of the mission and some of its results.

262. The meaning of the mission

. . . The meaning of the enterprise upon which he had embarked was misunderstood by Western people and the expectations it aroused were greatly exaggerated; yet it had intrinsic value so long as it was committed to the care of a man of his imagination and fortitude. With such qualities as he possessed, he would have been unworthy of the high trust reposed in him had he not been fired by enthusiasm and resolved to make this Mission the first step of a progress in international friendship which the Chinese themselves were as yet unprepared to guarantee. But it was the man behind the enthusiasm that made the enterprise what it was, and upon him must be fixed any attention aroused by the episode.

Mr. Burlingame's characteristics

He commanded in a high degree the politician's art of rapid apperception, and to this he added a power, which was not recognised by those who watched him from a distance, of acute observation and of profiting by his own experience. To his freedom from egotism and his ability to listen with an open mind to the views of others, he owed the confidence which he uniformly inspired in those who were his colleagues and who knew him best. For, though impatient of study in the academic sense, he looked constantly to those who were with him to teach him, and in this sense he never ceased to learn. Few men of his varied experience will be found to have had less bigotry of opinion, or a more sincere desire to sink self in a generous determination to promote the truth.

In this trait he recalls the many-sided alertness which was common in the New England of his earlier days, where his impressionable character was developed. . . .

Is it likely that the most purblind court in the world would have surrendered a particle of their fanatical opposition to Western ideas at the instigation of a man of this type who was unable to speak a word of their language? Americans at home, with their instinct for dynamic ideas and their faith in the force of what they desire, believed very greatly that if Mr. Burlingame had lived as long as he had a right to expect he would have seen his brightest visions realised; those Europeans who thought they knew their China did not. Yet with our present knowledge of that race, it seems more probable that the unwitting optimism of America felt, though it did not understand, the truth, and that the wisdom of Europe was at fault. Educated Asiatics yield far more frequently than is supposed in the occidental world to logic and argument, and though the process of conversion may take long, and involve reactions that drive their well-wishers to despair, a policy of reasonable insistence, without recourse to punishment, coupled with a willingness to accept something short of perfect acquiescence, has usually proved to be most profitable in dealing with them. It has been the eagerness of the West, its impatience and precision rather than its innate cruelty, that has antagonised them and incited them to desperate revolts against the inevitable. And what is broadly true of all Orientals, we can fairly predicate of the Chinese. The mind of China—whatever may be said of her recalcitrants—to-day needs no further prompting to learn its lessons from the West, yet it still finds Westerners as repugnant as ever. It has been borne in upon the nation that, while they must acquire the material strength to secure a place in the world, their ways are not our ways of life.

Would Mr. Burlingame have been successful if he had lived?

What was needed in the generation that came after the Arrow War was some one whose intellect—freed from the bonds of race prepossession—was sufficiently penetrating to recognise high culture in a people so ignorant of the elements of what was thought to be important in the West that a child could teach them, so forlorn in the enginery of their state that any country of Europe could conquer them, so beset with prejudice that they would not lift their eyes to learn. There were foreigners, indeed, who admired their culture, but they esteemed it as a thing apart from the present. It was Mr. Burlingame's genius that not only recognised the greatness of their past, but believed in their ability to become great again, a belief shared by few of his contemporaries. To this intelligence there was needed, moreover, the addition of a genial and demonstrative nature capable of winning friend-

Hopes for China

ship. For the Chinaman, beneath an exterior made serious by the training of centuries, is essentially a good fellow among equals, and quick to perceive the difference between a gentleman and a boor, no matter what the outward guise. Perhaps it was an advantage that Mr. Burlingame, whose courtesy was inbred, acquired his only acquaintance with Chinese civilisation through intercourse with their very best. Europeans who had lived in the ports under the old system, and who were never admitted to the society of the cultured class, had long misjudged the Chinese by their association with the vulgar. If Mr. Burlingame was criticised by some of these for his fancy pictures of Chinese life, the critics were in error through ignorance rather than he. . . .

At a time then, when all Occidentals were detested alike by the Chinese, but before they had come into their bitter experience of the land hunger of European nations, planting their flags and pushing their trade about the world, Mr. Burlingame succeeded in convincing them that there was at least one man of influence who believed in an independent China, and who could make others declare themselves to be of his opinion. They clothed him with extraordinary powers, and placed for a time the honour of the empire in his keeping. They watched his progress about the Western world shrewdly, if a little wonderingly, but though abashed at the vilifying of a free press, they never mistrusted him. They awaited his return to them with lively anticipations of the fresh counsel he might give them. It is difficult to believe that, had he been spared, he would not have convinced them of the reasonableness of his plans, pressed home with his accustomed amenity, and inspired them to forestall the troubles that threatened them by rectifying a corrupt administration, and sending their young men abroad for education. With the prestige he had acquired it would have been impossible for the palace politicians to have long withheld him from the knowledge of the Empress-Dowager, and in this way a true sense of the outer world would have been brought to the master mind of the imperial house. For it was through her ignorance, not her hatred, of the great world that she plunged the empire thirty years later into the calamity of the Boxer madness. . . .

But had this not been an effective protection against the ambitions or animosities of all, his appeal to the good sense of a majority of the states of Christendom to co-operate in saving China from political annihilation, and the consequent danger to the world of a scramble for the broken empire would as surely have been heard as a similar plea was in 1899, when Mr. Hay renewed his invocation and secured their consent to the "open door" doctrine. It may be noted, indeed,

that Mr. Hay, in his capacity of secretary to President Lincoln, was familiar with Mr. Burlingame's correspondence while American minister in China, and presumably recalled, when he broached his famous idea at the crisis of China's recent history, the latter's insistence upon co-operation among the powers as the only safe rule of diplomacy in the Far East. . . .

Effect of the mission on foreign opinion

Perhaps the happiest result of the Mission was its educational influence upon foreign opinion. This suffered, indeed, in the reaction following its leader's hopeful speeches, but in the minds of thoughtful men, especially in America, it survived this initial disappointment, and they began from that time to understand more fully than in the preceding generation the fatuity of treating China as a nation of barbarians. The assertion that the Chinese of that period desired "progress," as Western promoters interpret the word, was premature and needed to be disproved; but it was necessary for Western peoples to realise why they were apprehensive of the changes in their material and social life which were thrust upon them from abroad. They could see in the extension of such an idea only the intrusion of a domineering and eccentric race with customs and a religion that defied their authorities and bade fair to subvert their established notions of conduct and propriety. Their officials apprehended in it the termination of their ancient and prescriptive privileges. Their farmers, labourers, and carriers feared with reason the destruction of their accustomed means of livelihood. But the cardinal thesis maintained by Mr. Burlingame—obscured though it was by the ignorance and prejudices of his hearers—that China had already begun her education and was capable of accepting great and progressive changes undertaken in her own way, is being abundantly justified by time.

### *Section 44. The Question of Treaty Revision*

By Article XXVII of the British Treaty of Tientsin provision was made for the consideration of the revision of the treaty. Both Chinese and Westerners looked forward to the revision period; the former hoped that certain of the provisions might be modified. The Western merchants wished for further trade arrangements. The central government, in October, 1867, sent a circular to the high officials asking for advice on the matter of dealings with the foreigners in reference to the Audience

question, the sending of an embassy to foreign countries, the construction of telegraphs and railways, the residence of merchants in the interior, the salt trade and coal mining, and the extension of missions. Several memorials were sent in answer to the circular. Of these, the most interesting and valuable was that of Li Hung-chang's. Li was Hu-kwang viceroy at the time. Of it, Mr. Michie wrote: "As perhaps the best essay yet extant in translating the Chinese imperial tradition into the language of the modern world, this paper of Li Hung-chang's is full of instruction for foreign diplomatists. Read in the light of the subsequent thirty years, we see that it sets forth the principles which have inspired the whole public life of the most prominent man in China."

**263. Memorial of Li Hung-chang**

The humble opinion of the writer is, that in conducting business with foreigners the point of the greatest importance is to avoid exciting their contempt; that contempt once excited, they will thwart us at every turn, and even in affairs that are really practicable they will contrive a thousand schemes and devices to throw obstacles in the way of their practicability. But if they feel respect for China, all matters can be mutually arranged; and even difficult questions can be settled by compromise or agreement.

Foreigners, however, are not the only persons who are influenced by this feeling: it animates alike the minds of the whole human race.

It is often said that foreigners are crafty and malign and full of unexpected ruses: but is it not the fact that Chinese are the same; or rather that the outrageous craft and malignity of the Chinese exceeds even that of foreigners? The truth is, that at present foreigners are powerful and the Chinese feeble. And whence arises the power of the former? It certainly is not innate in them, but depends upon the fact that "the requisites of Government are sufficiency of food, sufficiency of military equipment, and the confidence of the people in their ruler" (Confucian Analects). And how is the weakness of China to be accounted for? This also is not innate, but is a result of the truth of the above axiom not being sufficiently recognised. The present condition of foreign countries resembles that of China before the union, or is perhaps even still more formidable.

In the course of time foreigners came to China, opened numerous marts, and conveyed their merchandise everywhere. They traded at as many as five ports, and all with no other object but that of making the wealth of China contribute to their own. A little consideration shows that those who ventured to come to this country must have placed their reliance upon something to have rendered them so fearless; and there is not the slightest reason why that which they confided in should not also become a source of confidence to China.

Many persons have offered their views upon the several questions now under consideration, and it is useless to take the trouble to recapitulate them. But all such appliances as telegraphs, railways, locomotives, and steamships—the things on which foreigners rely—can without exception be learned by the Chinese. It is often alleged that these inventions are attended with harm: how is it, then, that in foreign countries every district has its trains and steamers, every locality its telegraphs and railways? Natives of China, too, have travelled abroad and can bear testimony that these things, so far from being harmful, are advantageous.

Settlement of the Audience Question

Imperial audience is distinctly stipulated for in the treaty of 1860, and it is next to impossible to withdraw it; especially as his sainted Majesty Kanghsi admitted Japanese to his presence, and there will be no difficulty in ascertaining the ceremony then employed. And again, during the negotiations with the Russians on the boundary and trade questions, which took place about the same period, they were treated as an equal Power. It is but right, indeed, to consider such Powers as upon a footing of equality with ourselves.

The idea of the writer is to wait until the majority of the emperor, and then to receive all the representatives in a side-hall as was done by his sacred Majesty Kanghsi. It will, however, first be necessary to arrange distinctly whether such interviews are to take place once or twice a-year. Otherwise an impropriety will be caused by their constantly demanding audiences every few days on frivolous questions.

Such a course presents no difficulties from our point of view, and from theirs it is a *sine quâ non*. Moreover, they would see how the imperial magnanimity extends to every region. Their request may with great propriety be granted.

As to the appointment of an envoy, in the fourth year of Tungchih, Pin Ch'un and others were sent on a visit to the several foreign countries, and the Tsungli-Yamên has lately written to state that Chih Kang and others have now proceeded thither. Thus the mission has been continuous, and it would be well to adhere to this system.

The question of separate missions at the Courts of the several Powers, however, still remains for deliberation. In discussing these questions persons are apprehensive, either that the emperor's commission will be disgraced, or that there will be an extravagant expenditure of the imperial funds. But such persons are not acquainted with the whole bearing of the subject.

Memorialist is of opinion that this question is eminently susceptible of a satisfactory solution. After selecting reliable and trustworthy men to reside at foreign Courts, it will be necessary to appoint subordinates and interpreters, who can be exchanged every three or every five years. Interpreters, indeed, should be selected from each country to which an envoy proceeds—a system which would give us the double advantage of facilitating public business, and of affording us an opportunity to display our amicable desires. Far from being detrimental, the project is attended with great advantages.

The Missionary Question

The matter of missionary extension is beset with greater difficulties than the rest, especially as it is not a State question with foreign Governments. At the present moment innumerable churches are being erected in every province, district, and department for the explanation of their canon and the preaching of their faith; and the common people are one-half of them deceived and the other half led to join them for evil purposes. Instructions should be issued to the superintendents of northern and southern trade, as well as to the generals, viceroys, governors, customs superintendents, and taotais, to become intimate with the foreign officials with whom they are in communication. Then, when anything is to be arranged, there would be no harm in telling them distinctly that when the common people misbehave the local functionaries must adjudicate; and that when it happens that the people refuse to become proselytes, the officials can on no account insist upon their doing so against their will—for such a course would but raise riots and disturbances, to the detriment of international amity. At the approaching revision of the treaty all possible arguments must be used with regard to this point, and on no account must any further clause be added.

With reference to the remaining points—viz., coal mines, importation of salt, erection of inland warehouses, inland steam navigation, and the like—these, although comparatively unimportant matters, nevertheless entail serious consequences. If their introduction is harmless, there is no necessity to waste words and ink in the raising of disputes and complications; but if, on the other hand, there are among them concessions which we are unwilling to make, it will

be very proper to "explain the circumstances to them and argue the rights of the case," and they will hardly wish to press embarrassments upon us.

Should they, however, take advantage of their strength to impose upon our weakness by dividing our territory and sharing among them the fat of the land, in such a pressing crisis the greatest firmness would be necessary. But there need be no great apprehension of such a contingency, for the simple reason that, with the exception of Russia, foreign countries are all too distant from China, and the acquisition of its territory would be nothing but an embarrassment to them.

The fact is, that the prosperity of foreign countries is inseparably connected with the welfare of the Chinese people; and instead of draining that people to the last drop, would they not rather prefer to use, without exhausting—to take, and still leave a residue?

Danger in British treaty revision

The present occasion of treaty revision with the English is a most important juncture. The English treaty once disposed of, there will be no difficulty with the other Powers. The danger to be apprehended is that during the revision of next year they will employ coercion to extort concession. This, however, may be known previously; and should it be the case, it will of course be necessary to select experienced troops and able officers to confront them. Should nothing of the sort occur, negotiations should be entered upon.

In short, supposing we are to cherish a feeling of revenge and devise schemes to subvert foreign Powers, it will be necessary to wait until—with large armies and abundant supplies, with no rebel or Mohammedan outbreaks in the provinces, and no difficulties in the capital—we can cope with them without hesitation. We shall be a match then for all adversaries; but otherwise we cannot engage in a rash and random conflict. Even when it is supposed that we are ready for the struggle, it will still be necessary to exercise extreme and continual caution, and to wait until our spirit is high, and our aspect, therefore, formidable. Then should there be no war, the question would be disposed of; but in the event of our taking the field, it would not be unvictoriously.

Li's opinions of foreigners

Memorialist, however, has had several years' experience in conducting business with foreigners, and is thoroughly familiar with their character. He has found that, no matter what they are engaged in, they act honourably without deceit or falsehood. But although it is possible to acquire a general knowledge of their mode of action in the conduct of their own affairs, yet there is no means of becoming thoroughly acquainted with the details and motives of their conduct. Their bearing, however, in military matters affords clear evidence of their straightforwardness. There

is the instance of the Englishman Gordon, late commander-in-chief at Soochow, who, having organised 3,000 troops of the Ever-Victorious Army, took the field against the rebels. Subsequently, at the capture of Soochow, the memorialist himself observed that officer personally leading in advance of his troops with a courage and *sangfroid* worthy of all praise. He subsequently became the recipient of the imperial commendation and reward.

TSENG KUO-FAN

The writer has also, in conjunction with Tsêng Kwo-fan, acting viceroy of the two Kiang, been associated with foreigners in organising foreign-drilled infantry and cavalry, and in making arrangements for the building of steam vessels. He is thoroughly convinced that they are actuated by upright and amicable principles, and entertain no feelings of animosity towards China. With the knowledge of these facts before us, it is possible to draw our conclusions upon other matters.

It is from these considerations, therefore, that the writer suggests the policy to the pursued in intercourse with foreigners. There seems to be no necessity to dispose of the several questions hastily and on the instant, nor do the resident foreign Ministers at Peking apparently intend to insist upon an immediate settlement.

It would be well if H. I. M. on attaining his majority were himself to adopt the policy suggested, and in that case no difficult questions would arise.

6th year, 11th month, 6th day.

## *Section 45. The Tientsin Massacre*

One of the most difficult problems to be solved by China and the Western powers during the past century was that of Christian missions. The imperial toleration

of Christianity in 1844 was not the solution that it was thought by many to be at the time. A well-known English writer, Mr. Alexander Michie, whose work has been quoted before, attempted, just prior to 1900, to give a brief political survey of the question, looked at from the Chinese point of view. The religious questions involved are many and complex, but no more so than the social, political, and economic.

264. A political survey of the missionary question

. . . What is it in the propagation of Christianity that excites the hostility of people and rulers? It is that the missionaries present themselves to Chinese view as the instruments of powerful nations bent on the ruin of the empire. They enter the country with a talisman of extraterritoriality; their persons are sacred; the law of the land cannot lay hands on them. That is the first stage. The second is, that they seek to extra-territorialize their converts also, whose battles they fight in the provincial courts and in the rustic communes, and so make it of material advantage to the people to bear the banner of the Cross. Many missionaries are really zealous in the work of alienating the Chinese from their natural allegiance, and of encouraging them to seek the protection of foreign Powers as against the native authorities. Thus a revolution of the most vital nature is in progress, and is being pushed on with all the energy which Christian, combined with ecclesiastical and political, zeal can throw into the work. Village is set against village, clan against clan, family against family, and a man's foes in China are too often they of his own household. . . . While in theory they do not admit the claim of any forethe Power to protect Chinese subjects, yet in practice ign thing goes on, and is acquiesced in. So formidable, indeed, have the foreign missionaries become, that most of the provincial authorities are afraid as well as jealous of them; and peace-loving viceroys give the simple injunction to their prefects and magistrates that on no account must they permit dispute with foreigners or native Christians. This means that the Chinese Christian must be upheld, right or wrong, and the Christian would be very un-Chinese if he did not take advantage of such a privilege to trounce his heathen neighbours.

Disintegrating effect of Christianity

The right given in the French treaty of acquiring land and building houses in the interior is one of the most constant causes of local quarrel. . . . Nearly all the attacks on missionaries proceed in one form or another from that fecund nursery of feuds, the land question. Whatever the merits

of the dispute, the foreigner is *prima facie* in the wrong; for he is an alien, an intruder, and he erects buildings which are outlandish, offensive to the taste, and of sinister influence. . . . Thus without taking into account individual indiscretions or infirmities of temper, open attacks on time-honoured customs, and so forth, there is a perennial root of bitterness in missionary enterprise in the interior of China, which throws out shoots culminating in murder and fiendish atrocity; and all this without even a distant approach to the kernel of Christianity which lies behind the outworks.

Under-ground attacks

For what the Chinese authorities have failed to do by the legitimate means at their command, their underlings and the circle of gentry that surrounds each provincial centre attempt to do by illegitimate and criminal methods. Hatred of missions and converts shows itself by violent outbreaks in which innocent and guilty suffer a common fate; mobs are excited by false suggestions, scholars write inflammatory placards filled with the foulest calumnies, and the higher officials "let it work"—secretly applauding, but ready, if called to account, to exculpate themselves and blame the poor ignorant people. . . .

With France the protectorate over native Christians is the great objective of her Chinese diplomacy—not the ultimate end, indeed, but the lever by which that end may be attained. To suggest to France, therefore, the abandonment of this policy would be about as hopeless as asking her to give up her colonies as the preliminary to an international conference. And while France protects the proselytising machinery of the Roman Catholic Church and its consequent usurpation of the Chinese authority, it would seem of little avail to place other missionaries under restriction.

A somewhat different idea of the "right given in the French treaty of acquiring land and building houses in the interior" is given in Mr. Chester Holcombe's book, *The Real Chinese Question*, published a year after Mr. Michie's. The clause referred to was a forged one interpolated by a French priest in the Chinese version of the treaty of Tientsin.

265. The interpolated clause in the French treaty of Tientsin

"There is no sufficient ground for the assertion, sometimes made, that missionaries have been smuggled into the interior of China, against the will of the government and

people. by taking advantage of the interpolation of a spurious clause in the French treaty of 1858. It is a fact that a spurious clause was added to the Chinese text of that treaty by a French missionary, who was acting as interpreter. The body of the article, thus meddled with, provided that missionaries, being engaged in philanthropic work, should, together with their converts, receive the protection of the Chinese Government. It conceded no specific right of residence in the interior. The interpolated clause contained these words: 'It is, in addition, permitted to French missionaries to rent and purchase land in the interior, and to construct buildings thereupon at their convenience.' As has been stated, this spurious provision was added to the Chinese text only, and not to the French which was made the official or authorized version in all cases of discrepancy between the two. The forgery was discovered at once, was of no value, as the French text of the treaty alone was authoritative, and was never taken advantage of, directly or indirectly, by either the American, British, or French governments. The French Minister at Peking officially notified the Chinese authorities that his government recognized the spurious character of this clause, and would claim no rights under it."

A view very different from Mr. Michie's and equally worthy of attention is that of Dr. W. A. P. Martin. Like Dr. S. W. Williams, this writer had experience in China both as missionary and as a member of the American legation. He is noted as a writer and an educator. It is only by studying the conclusions of many men of experience and varying viewpoints that we can approach an understanding of such a question as the one under consideration.

**266. The missionary question: a missionary view**

If the first stage in the recent history of missions was their toleration by edict, and the second the recognition of their legal status by treaty compact, the systematic attempt to crush them out by mob violence may be regarded as a third stage. On this phase they entered in June, 1870, when a Catholic mission in Tientsin was destroyed, and sisters, priests, and a French consul were murdered by the populace, led on by an ex-general of the Chinese army. The minds of the people had been prepared by the dissemination of false rumors, and when they were wrought up to the required point the mandarins stood aloof and allowed the storm to take its course. Since that date there have been twenty or more

anti-foreign—not altogether anti-mission—riots of sufficient magnitude to be visible across the seas; culminating this year in the expulsion of missionaries from the capital of Szechuen, and the massacre at Kucheng, near Fuchau. Most of these have conformed to the original type in every particular—beginning with tracts and placards as their exciting cause, followed by studied negligence on the part of mandarins (who always contrived to come too late when their aid was invoked), and finishing with an inquiry how many heads and how much money would satisfy the resulting claims. . . .

These ocurrences have created an impression on the mind of a public not very well informed on the subject of missions, that for our government to back up the missionaries by affording protection or exacting redress is equivalent to forcing our religion on an unwilling people. But is it forcing our religion on the Chinese to protect our missionaries any more than it is forcing our commerce on them to protect our merchants? No duty is plainer than that of requiring the government of China to provide for the security of our mercantile establishments, and to leave the people free to buy or sell as they may choose. The missionary asks the same, and no more.

Rights of merchants and missionaries

But *are* the people unwilling to have missionaries live among them? If they were we should have had to count many more than twenty riots during this quarter of a century. Their increase has not kept pace with the growth of the missionary work. One a year in a country of such vast extent, and with a missionary force of over two thousand, is no proof of popular ill-will, but rather the reverse.

On June 21, 1870, there occurred what is known as the "Tientsin Massacre," in which an attack was made on the French citizens in that city. Ten Sisters of Charity, two Roman Catholic priests, the French consul and five other French men and women, two Russians, and between thirty and forty Chinese employees of the French mission station or the Sisters' orphanage were murdered. The French had for years been disliked in the city. The immediate cause of the trouble in June, 1870, was the dissemination of false reports that children and others were being kidnaped and taken to the Roman mission, especially to the Sisters' orphanage.

Wu Lan-chên, a supposed kidnaper, made the following deposition under torture. It is typical of the ideas current among the ignorant as to the doings of the Roman Catholic missionaries.

267. The false deposition of Wu Lan-chên

I am a native of Ning-chin-hsien, and 19 years of age. My father and grand-father are still alive. My father's name is Wu Tsun, and he is in his 45th year. My mother's maiden name was Fang. I have no brothers. I married in the first month of the present year. As I had nothing to do at home I left my home on the 18th February, and went by land to Chêng-chia-k'ou, and came on by a relation's boat to Tien-tsin, where I gain my living as a sailor. Up to this time I was not acquainted with Wang San of the Ho Lou,* but on the 13th June he drugged me and carried me off to the Roman Catholic church at Ho Lou. I was not allowed to go into the inner rooms, nor did I see any foreigner. I went, indeed, only to the threshold. Wang San urged me to become a Catholic. I at first refused. Wang San said he would have my life. This put me in a great fright and I then consented. He gave four dollars to a man named T'ang to keep for me. On the 14th he gave me a packet containing a stupefying drug, and told me to go all over the country and (kidnap) men by means of this drug. The drug was a fine powder wrapped up in paper. I went to Mu-chuang-tzu and there met a man of about 20 years of age, and wearing light blue coat and trousers. I put some of the drug in the palm of my hand and rubbed it on his face. He became quite silly and followed me, and I hurried back to the Roman Catholic Church, and handed him over into Wang San's keeping. For this Wang San paid me 5 dollars and gave me another packet of the drug, which I took to T'ao-hua-ssu village, where I saw the individual Li So drawing water. I stupefied him with the powder and he followed me in the same way as the first man had done. But I was caught by some of the villagers and brought before the magistrate. There are seven other men in the Roman Catholic church besides myself who were engaged in kidnapping. Every evening we slept inside the barrier in the church. Wang San was our chief. Every morning he brought out some powders from the inner room and gave one to each man, as well as 300 cash to buy food with. If we did not succeed in drugging any one before the evening we gave back the powders to Wang San. Of the other

*One of the Roman Catholic buildings is indicated.

seven engaged in this work I know Wang San and Wang Urh, natives of I-chow-ch'êng, Lin Hsiao, Lin Ha, and Lin Urh, natives of Tu-k'ou-i, in the district of Ch'ing-hou. The other man's name I do not know.

Wang San is about 20 years old, has a fair complexion, slightly marked with the small-pox. After I had been drugged by Wang San and carried off to the church, he gave me an antidote which I drank and immediately recovered my senses. Wang-san then told me that when such nostrums have been used, some sweet grass, a cicada's shell and a certain insect should be dried before the fire and ground to powder, and then worked up with oil of sesame; a draught of the hot decoction of this will bring people round at once. . . .

The five dollars I received for kidnapping the man from Mu-chuang-tzu I concealed in the belt of my trousers, but when I was seized at T'ao-hua-ssu I lost them. When I was living in the Roman Catholic establishment, every day before I went out Wang San gave me a red-coloured powder to take as snuff. After a pinch of it I felt very brave and thought of nothing but kidnapping people. When I returned in the evening Wang San gave a draught of medicine as an antidote which brought me to my senses, but by that time the gates were shut and I could not get out.

A few hours before the terrible event in which he lost his life, the French consul, M. Fontanier, sent a report of the state of affairs in Tientsin to the French minister at Peking.

*Tien-tsin, June* 21, 1870.

M. le Comte,

**268. M. Fontanier to the Count de Rochechouart**

Our little town of Tien-tsin, generally so quiet, has been troubled for several days by shouting and mobs in the neighbourhood of the establishment of the Sisters of Mercy and of the Consulate. The Sisters were accused of tearing out children's eyes, those who were more bold exhumed the dead that came from their hospital. Finally, the Taoutae came and presented to me the deposition of several witnesses, declaring that they had been victims of the kidnappersemployed by our Missionaries. I had no trouble in proving to him that all these reports were the work of ill-will; but the Taoutae having come officially, I promised him, at his reiterated demand, that I would watch that our Sisters of Mercy should not for the future employ any but persons of proved good character.

**The taotai's visit**

The tche-hsien's visit.

Some hours afterwards (the 19th) the Tche-hsien came to the consulate accompanied by a delegate from Tchong Heou (Ch'ung Hou) with the intention of bringing about, on the spot, an official search at the domicile of the Sisters and of the Lazarist Missionaries. But as he was ill-advised enough to become angry, and even to threaten me with the anger of the populace, wishing apparently to exact from me that which his superiors had a few hours before left entirely to my judgement, I profited by it to terminate the interview, reminding the Tche-hsien that it was only with the Intendant of the three Northern Ports that I meant to continue this matter, but that I made him none the less responsible for the consequences of the troubles with which he seemed to threaten me, for I was confident that he alone was the instigator of them.

I requested the delegate of Tchong Heou to inform his Excellency of the result of my interview with the Tche-hsien, until I should myself go and complain to him of the improper conduct of this magistrate. I had the satisfaction of receiving the next morning a visit from Tchong Heou. He spoke very ill to me of the Tche-hsien, trying all the time to exculpate him. He complained of the little consideration given to his observations by the local authorities when he had attempted to deny the false reports spread against our Missionaries, having at last been obliged to let them take a step in which he refused to join, which gained for him the epithet of "the right arm of the Europeans."

This little incident, which might have taken a bad turn but for the intervention of Tchong Heou, appears to-day to be almost at an end; Tchong-Heou having besides promised me to publish in the course of a few days a small proclamation to allay the excitement.

On the same day, June 21, Chunghow, the imperial commissioner for the north, reported to the Tsungli Yamen on the massacre.

269. Governor-General Ch'ung Hou to the Yamen of Foreign Affairs

A respectful communication.

I presume that your Excellencies have already had under consideration my letter of the 19th of June, reporting on the kidnapping at Tien-tsin, the implication of the Roman Catholic establishments by those proceedings, and on the threatening rumours which were abroad.

On the 22nd instant (June 20th), I went to M. Fontanier and begged him to come to my yamên that we might together

examine a kidnapper (who had been arrested), and so ascertain the truth or falsehood (of the rumours which were abroad). To this M. Fontanier replied that the Roman Catholics had been guilty of no practices of the sort, and that he had no jurisdiction. I then asked M. Fontanier to send at once for Père Chevrier that I might myself examine him, informing him at the same time that unless this matter was sifted to the bottom, and the Roman Catholics proved clearly to be guiltless (of the charges brought against them), it would be impossible to quiet the suspicions of the people, which were then so determinedly aroused. Père Chevrier (who had been sent for) and M. Fontanier begged that the Intendant, Prefect, and Magistrate of Tien-tsin would go to the Roman Catholic establishment and see for themselves. With a view to subsequent proceedings I accordingly proposed to send the Intendant, Prefect, and Magistrate with the prisoner Wu Lan-chên on the 23rd instant (21st June) to the Cathedral, that he might point out the localities (alluded to in his charges), and if possible identify from among the Chinese of the establishment his acquaintance and confederate Wang San and others. Père Chevrier perfectly assenting, the arrangement was concluded then and there. Accordingly at 10 o'clock to day (21st June), the Intendant Chou, the Prefect Chang, and the Magistrate Lin, took the man Wu Lan-chên to the French Cathedral, where they met Père Chevrier, who was very civil and respectful. The prisoner was directed to point out and proceed to the places he had visited. It was then found that the mat-shed and barrier gate mentioned in his evidence did not exist on the premises, and that he could point out nothing to support the truth of his statements. As for the man Wang San and the others implicated by the prisoner, he could not identify any one of them. These officers brought the man back to the yamên, and informed me of the result of their investigations. By and bye Père Chevrier came to the yamên to consult as to certain measures to be taken for the future. We agreed that henceforth all deaths occurring at the hospital should be reported to the officials, who would examine the bodies and see them buried; also that a return should be sent in of the pupils in their schools, and of the children, male and female, supported by them; and, to disarm suspicion, that no opposition should be made to the officials inspecting their establishments at any time they wished. After taking leave of Père Chevrier, I was in the act of drawing up a Proclamation which I was anxious to get out at once in order to dispel the suspicions of the people, and quiet the minds of foreigners and Chinese, when, at 2 o'clock, I suddenly heard that a disturbance had arisen between some people belonging to the Cathedral and a crowd of

Exposure of Wu Lan-chen's falsity

The outbreak of trouble

idlers. I sent a military officer to suppress them, when I heard that M. Fontanier had come to the yamên. On going out to meet him, I saw that the Consul, whose demeanour was furious, had two pistols in his belt, and that a foreigner who accompanied him was armed with a sword. They rushed towards me, and as soon as M. Fontanier came up to me he began talking in an indecorous manner, drew a pistol from his belt, and fired it in my presence; the shot fortunately did not take effect, and he was seized. I could not accept M. Fontanier's challenge,* and so withdrew. On entering the room he began to break the cups and other articles on the table, keeping up at the same time an incessant storm of abuse. I went out again to see him, and told him that the crowd (outside) had a very threatening aspect; that as the entire fire brigade was with them, evidently intending to assist, I was afraid of a disturbance and advised him not to go outside. He, however, reckless of his life, rushed out of the yamên. I sent some men after him to escort him (on his way). M. Fontanier met the Magistrate Lin, who was (endeavouring) to control the mob, and who tried to keep him back; but he fired at this officer, hitting one of his servants. The mob, enraged at this outrageous conduct on the part of the Consul, at once pursued, surrounded, and killed him; they then set fire to the Cathedral, but the fire was put down before it had time to spread. They also destroyed the establishment of the Sisters of Charity, and the Protestant Chapel inside the city. At this time while the mob was raging it was repressed by me, in conjunction with my colleagues civil and military, and by a force sent by myself, while I sent information to the Consuls to allay their apprehensions, informing them of the steps I had taken. The mob found ten children in the establishment of the Sisters of Charity. The excitement is subsiding. This is a true account of the origin and progress of the disturbance.

Meeting of Fontanier and Chung-how

This affair arose in the first place from the suspicions and hostility of the people being excited by an idle rumour that the children buried (from the hospital) had had their eyes and hearts cut out; and, in the second place, from the confession of the kidnapper Wu Lan-chên, implicating people belonging to the Roman Catholic establishment. I am memorialising His Majesty on the origin of the disturbances as ascertained, and have ordered the immediate arrest and punishment of the ringleaders. It is further my duty to acquaint your Excellencies at once with all the details of the

* This passage would have been better translated :—"It would not have been seemly for me to have come into personal collision with M. Fontanier."

collision and riot. I beg you will have the goodness to inform the French Minister as soon as possible.

5th month, 23rd day. (21st June, 1870.)

The settlement of the Tientsin affair needs no comment here. It did not settle the difficulties involved in the missionary question as a whole. The imperial government still felt the danger in the situation. During the summer of 1871, the government circularized the legations on the dangers threatened and made suggestions for the restraining of the zeal displayed by certain of the Christian workers, recommending especially that the foreign missionaries should act in accordance with Chinese custom and that they should not interfere in legal affairs in which native Christians were involved. Eight articles were proposed by which the propaganda should be regulated. The French government criticized the document and the proposed rules and refused to accept them. The other Western powers interested approved the ideas of the Chinese government but criticized the details. And so the question remained for the time without settlement.

**270. Note from the Chinese government on missions**

The object which the Powers and China had before them originally in signing Treaties was to establish a permanent situation which should ensure them reciprocal advantages and remove abuses. However, the experience of the last few years has demonstrated that not only do these Treaties not attain this desired end of permanency, but also that, up to the present time, they are difficult to carry into execution. Trade has in no degree occasioned differences between China and the Powers. The same cannot be said of the missions, which engender ever-increasing abuses. Although in the first instance it may have been declared that the primary object of the missions was to exhort men to virtue, Catholicism, in causing vexation to the people, has produced a contrary effect in China. (This regrettable result) is solely attributable to the inefficacy of the plan of action (followed in this matter). It is, therefore, urgent that steps should be taken to remedy this evil and to search for a satisfactory solution of the difficulty. In fact, this question is one bearing

upon those which influence the leading interests of the peace of nations, as well as those of their trade, which are equally considerable. Wherever the Catholic missionaries have appeared, they have drawn upon themselves the animadversion of the people, and your Excellency is not ignorant that cases which have arisen during the course of several years embraced points of disagreement of every kind.

The first Catholic missionaries who established themselves in China were called "literates (lettrés) of the West." The greater part of the conversions took place at that time among respectable people. On the other hand since the conclusion of the Treaties took place (1860), the majority of the converts are persons without virtue; so that that religion, whose object is to exhort men to virtue, no longer enjoys any consideration. From that moment consciences have become a prey to uneasiness. The Christians have none the less continued, under the shadow of missionary influence, to mislead and oppress the people: thence arose renewed uneasiness, then quarrels between Christians and non-Christians, and, at last, disturbances. The authorities proceed to investigate the affair; the missionaries make common cause with the Christians, and support them in their insubordination against the same authorities. Thereupon the feeling of disquiet which pervades the people assumes greater proportions. Yet more: veteran rebels, beyond the pale of the law, amateurs in intrigue, seek a refuge in the Church, and lean upon her influence in order to commit disorders. At this moment the animosity of the people, already deep, degenerates gradually into a hate which, at length, reaches its paroxysm. The people in general, unaware of the difference which exists between Protestantism and Catholicism, confound these two religions under this latter denomination. They do not grasp the distinction which should be made between the different nations of which Europe is composed, and give to Europeans the generic name of "men from without;" so that, when troubles break out, foreigners residing in China are all exposed to the same dangers. . . . The differences which exist between the religions and the nationalities are truths which still are beyond the comprehension of the masses, in spite of the constant efforts which have been exerted in order to make them appreciate their nature. The Prince and the members of the Yamên, during the ten years in which they have been at the head of affairs, have been a prey to incessant anxiety. These precautions have been justified by the events at Tien-tsin, the suddenness of which was overwhelming. The proceedings against the functionaries (compromised) have been begun, the murderers have suffered capital punishment, an indemnity has been paid, and relief

given; but, although the affair may to-day be almost settled, the Prince and the members of the Yamên cannot throw off the uneasiness which they feel. In fact, if this policy is the only one on which one can rely (to settle) the differences between Christians and non-Christians, it will become more precarious in proportion to the necessity there will be to recur to it oftener, and the disorders like those at Tien-tsin will be repeated more terribly each time. . . . Consequently with the view of protecting the great interests of general peace, and of remedying the abuses above pointed out, the Prince and the members of the Yamên have the honour to submit, for your Excellency's examination, a plan of Regulation in eight Articles, which has also been communicated to the Representatives of other Powers.

Proposed regulations

ARTICLE 1. The Christians when they found an orphanage give no notice to the authorities, and appear to act with mystery: hence the suspicions and hatred of the people. In ceasing to receive children, the evil rumours which are now in circulation would at the same time disappear. If, however, there is a wish to continue this work, only the children of necessitous Christians must be received. . . . It would be a good thing to abolish the foreign orphanages. . . . In every province we have numerous orphanages. . . .

ARTICLE 2. Women ought no longer to enter the churches, nor should Sisters of Charity live in China to teach religion. . . .

ARTICLE 3. The missionaries residing in China must conform to the laws and customs of China. They are not permitted to place themselves in a kind of exceptional independence, to show themselves recalcitrant to the authority of the Government and of the officials, to attribute to themselves powers which do not belong to them, to injure the reputation of men, to oppress the people, to asperse the doctrine of Confucius, by which they give ground for the suspicion, the resentments and the indignation of the masses. . . .

ARTICLE 4. Chinese and foreigners living together ought to be governed by the same laws. For example, if a man kills another, he ought to be punished, if a Chinaman, according to the Chinese law; if he is a foreigner, according to the law of his country. In thus acting order will reign. . . . It belongs to the local authorities to adjudicate on the differences which may arise between the Christians and the people. . . .

ARTICLE 5. The passports given to the French missionaries who penetrate into the interior ought clearly to bear mention of the province and of the prefecture where they intend to repair. . . . The missionary ought not to pass through the Custom-house and toll-bar contraband articles

of merchandize which are liable to duty. . . . Passports will not be granted in the provinces where there are rebels, nor even hereafter for those where the Imperial army is operating,—with the evident object of securing loyally the safeguard of the missionaries. . . .

ARTICLE 6. The aim of the missionaries being to exhort men to virtue, it is befitting that before admitting an individual to the privileges of religion, he should be examined as to whether he has undergone any sentence or committed any crime. If the examination be in his favour he may become a Christian: if the contrary, he should not be allowed to become one. . . . Missionaries ought to give notice to the authorities, who will take note of the day of the month and of the year of admittance, of the country, and of the station in life of the individual, and will ascertain if he has ever undergone any sentence, or if he has ever changed his name. By acting thus all confusion will be avoided.

ARTICLE 7. The missionaries ought to observe Chinese customs and to deviate from them in no respect; for instance they ought not to make use of seals, the use of which is reserved for functionaries alone. . . . When the missionaries visit a great mandarin, they must observe the same ceremonies as those exacted from the literates. . . . They must not unceremoniously go into the yamêns and bring disorder and confusion into the affair.

ARTICLE 8. Missionaries shall not be allowed to claim, as belonging to the Church, the property which it may please them to designate; in this way no difficulty will arise. If the missionaries wish to buy a portion of land on which to build a church or hire a house in which to take up their residence, they must, before concluding the bargain, go with the real proprietor and make a declaration to the local authority who will examine whether the Tung Chouy presents any obstacle, it will then be necessary to ask the consent of the inhabitants of the place. . . It will be necessary besides . . . to declare that the land belongs with full rights to Chinese Christians. . . .

The missionaries residing constantly in China must strive to inspire confidence, so as not to excite the discontent and aversion of the people; but on the contrary to live on good terms with them without ever exciting suspicion. At this moment there is almost always discord between the two parties, and the cause of it is the conduct of the Christians. . . .

The rules which we now propose are the last expression of our firm will to protect the missionaries, and have nothing in their import hostile to them. If they sincerely endeavour to conform themselves to them, good harmony might be

maintained. . . . The Chinese Government treats its Christian and its non-Christian subjects on a footing of perfect equality; that is the evident proof that it is not opposed to the work of the missions. In return, the missionaries, allowing themselves to be duped by the Christians, do not adhere to their duties. From this state of things a hatred of the masses must result, which it will be very difficult to combat and a general overthrow of order, which will make all protection an impossibility. It would be far better from henceforth to speak the truth frankly.

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** S. W. WILLIAMS, *Middle Kingdom; British Blue-Book China No. 1* (1865), Foreign Customs Establishment in China: Papers rel. to China, 1871–76; A. MICHIE, *The Englishman in China;* MAYERS, *Treaties Between the Empire of China and Foreign Powers, etc.* (Shanghai, 1901); F. W. WILLIAMS, *Anson Burlingame and the First Chinese Mission to Foreign Powers* (New York, 1912); W. A. P. MARTIN, *Cycle of Cathay; Blue-Book China No. 1* (1871); Papers rel. to the massacre of Europeans at Tientsin on the 21st June, 1870; *China No. 3* (1871), Circular of the Chinese Government, etc.; C. CLEMENTI, *The Chinese in British Guiana* (1915); J. BREDON, *Sir Robert Hart* (London, 1909); J. O. P. BLAND AND E. BACKHOUSE, *China Under the Empress Dowager;* H. B. MORSE, *International Relations,* Vol. II, Chaps. I–III, VII–XII

# CHAPTER XI

## RELATIONS WITH EUROPE—1873–1886

### *Section 46. The Imperial Audience of 1873*

When Mr. Burlingame appeared in America and Europe as the accredited representative of China, the question immediately arose as to the conditions, if any, that should be set on receiving him in audience by Western executives. This was due to the fact that China had not yet received in imperial audience the representatives of the Western powers who were accredited to Peking. Mr. Burlingame was received with the provision that upon the attainment of the majority of the emperor Tungchih it was to be expected that an audience would at once be granted.

The son of Yehonala and Hienfeng, the emperor Tungchih, attained his majority in 1873, and assumed the governance of the empire on February 23 of that year. The foreign envoys at once asked for an audience. After many delays this was granted on Sunday, June 29. Two points concerning the audience are worthy of note: first, that the age-long custom of demanding the kotow, or prostration before the imperial person, was done away with; and, second, by accident or design, the Japanese government had appointed an ambassador who, according to diplomatic form, and by the expressed will of the European and American envoys, was received first and alone.

271. The British minister's account of the audience

As my telegram of the 29th of June will have informed your Lordship, the Emperor of China on that day gave audience to myself and my colleagues, the Representatives of Russia, the United States, France, and Holland.

*Li Ung Bing's "Outlines of Chinese History"*

PRINCE KUNG

It will have been seen from my telegram that the final settlement of the question was not arrived at without discussions. The negotiations of the last four months have been conducted by the Representatives of four or five Powers acting together.

The Imperial decree in which the audience was first accorded appeared in the manuscript edition of the "Peking Gazette" of the 14th of June, and was communicated to the Legations on the 15th, in a despatch from the Prince of Kung. . . .

Objections to the decree

The chief objections to the decree were two: first, that the Foreign Ministers were declared in it to have "humbly begged" or "implored" an audience; secondly, that the words "kuo shu"—Government letter, by which, in official correspondence, the Chinese describe letters of credence, or letters from the Chief of a State—were placed in the text without any of the honour due to the dignity of a foreign Government. It might be added that the words Envoys or Ministers were referred to with as little formality as they would have been had the persons referred to represented States dependent on China; but irrespectively of the argument advanced by the Chinese, that there was a certain difference in the form employed, there would have been naturally an indisposition on the part of foreign Ministers to insist too much on what might have been regarded as offending their personal dignity rather than the dignity of their States.

Remarks on the other two points could not be avoided . . . and . . . it was not until the 25th instant that the Memorandum of etiquette to be observed at the audience was agreed to by foreign Ministers. . . .

Upon the afternoon of the same day, the 26th, we met the Prince of Kung by invitation at the Yamên, to communicate translations of our letters of credence, and all conditions to be observed having been carefully reconsidered, upon the 27th His Highness wrote officially to inform us that the Emperor had verbally given orders for our reception on the 29th.

The Japanese ambassador

I shall mention here that the Japanese Ambassador, Soyésima Panéomi, was also invited to the Yamên on the 26th. The Chinese Ministers left it to us to fix our own precedence, and by common consent the highest place was assigned to the Ambassador of Japan. I may add that Soyésima had had difficulties of his own to surmount. His conferences with the Chinese Ministers had been separate, but from his frequent intercourse with us, we had been kept fully informed of what was passing. I feel bound to say that I think the Government of Japan has every reason to be satisfied with the part played by its Ambassador throughout this negotiation. The knowledge which, as a Japanese, he necessarily possesses of Chinese literature and of the usages of China, deterred him from undue exigence on any point of form, but he showed, at the same time, much firmness and dignity in the assertion of his rights.

It was agreed that Soyésima was to have his audience first. This, both in consideration of his rank as Ambassador, and possibly, because the letter of the Mikado with which he was charged was not a letter of credence, but of congratulation only. The five representatives holding letters of credence,

viz., the Ministers of Russia, America, and France, with myself and Mr. Ferguson, Diplomatic Agent of the Netherlands, were to be received together. The order of proceeding was as follows:—

The Purple Pavilion, or Pavilion of Purple Light

The place appointed by the Emperor was the Tz'û-Kuang-Ko, or purple pavilion, a large storied building in the grounds west of the palace. The palace itself . . . lies . . . about midway between the east and west outer walls of Peking proper. . . . The grounds in question lie westward of the palace, communicating with it towards the southern end of a large piece of water, on the west bank of which is situated the purple pavilion.

A little west of the grounds, but well within the Imperial city, stands the Pei-t'ang, a Romish Cathedral and mission house. . . . It was settled that, at 6 in the morning, the five Representatives of Western Powers should meet there. M. Delaplace, the Bishop resident, had been so good as to give us rooms to dress in.

Meeting at the Pei-t'ang

We rendezvoused accordingly at the Pei-t'ang, and were thence escorted by a Minister of the Yamên to the north gate of the palace grounds in our chairs; the thoroughfare across the marble bridge, which spans the piece of water above mentioned, being closed to the public eastward by desire of the Emperor. We had come to the Pei-t'ang through the west of the outer city, large numbers of people being already on the alert to see the foreigners who were to be presented to the Emperor without prostrating themselves. A dense crowd was assembled in the vicinity of the Pei-t'ang for the same purpose.

At the Fu-Hua-Mên, the gate by which the palace grounds are here entered from the north, we left our chairs and were received by the Grand Secretary and all other Ministers of the Yamên, the Prince and the Ministers Pao and Shên excepted. We had been told that they would be in attendance all the morning on His Majesty.

Waiting at the Shih Ying-kung

We proceeded, according to the programme, to the Shih-ying-Kung, or palace of seasonableness, a temple in which, as circumstances require, the Emperor prays for rain or cessation of rain. Confectionery, tea, and Chinese wine from the Emperor's buttery were offered us, and, after waiting above an hour, we moved on with the Ministers to a large tent pitched westward of the purple pavilion.

The Emperor did not arrive at the pavilion as soon as we had been led to expect. The reason assigned was the receipt of important despatches from the seat of war in the north-west. The Prince of Kung and the two Ministers with him were already waiting outside the tent to explain the delay, and returned again and again, as it were apologetically, to

keep us company with the rest. The grounds were thronged with officials; but except a few men wearing Chinese sabres of antique form, I saw nothing like a soldier in our immediate vicinity. At length, after we had waited in the tent at least an hour and a half, the Japanese Ambassador was summoned to the presence and, his audience ended, came our turn.

The first audience—Japanese

In front of the pavilion in which we were received is a great platform of stone, accessible on three sides by flights of steps. We ascended, as it had been agreed, after some debate, we should, by the steps on the western side, and, entering the pavilion, found ourselves at once in a large hall divided by wooden pillars in the usual northern style, into five sections. We came into this by the second section from the west, filing into the centre section until we were opposite the throne on which the Emperor was seated at the north end of the hall We then bowed to the Emperor, advanced a few paces and bowed again, then advanced a few paces farther bowing again, and halted before a long yellow table about half way up the hall, I should say some ten or twelve paces distant from the throne.

The second audience—international

The throne was, I think, raised above the floor of the dais on which it stood by a couple of steps. The dais itself was separated from the hall by a light rail broken right and left of the throne by low flights of three stairs each. The Emperor was seated Manchu fashion, that is, cross-legged. . . .

On the whole the spectacle was fair to see, although I should not go so far as to style it imposing.

Our party having halted as I have described, the Minister of Russia, General Vlangaly, as Doyen of the Corps, read aloud an address in French. . . . A Chinese translation of it had been already shown to the Prince of Kung, and this was then read by M. Bismarck, Secrétaire Interprète of the German Legation, who, as I have reported, had been selected from the first to act as Interpreter-General at our Conferences. In this capacity he entered the hall with us, and took his place behind M. Vlangaly.

As soon as the address was delivered we laid our letters of credence upon the table. The Emperor made a slight bow of acknowledgement, and the Prince of Kung falling upon both knees at the foot of the throne, His Majesty appeared to speak to him—I say appeared, because no sound reached my ears. We had been told, however, that the Emperor would speak in Manchu, and that the Prince would interpret. Accordingly as soon as His Highness rose, he descended the steps, and informed us that His Majesty declared that the letters of credence had been received. Then returning to his place he again fell upon his knees, and the

Emperor having again spoken to him in a low tone, he again descended the steps, and coming up to us informed us that His Majesty trusted that our respective Rulers were in good health, and expressed a hope that foreign affairs might all be satisfactorily arranged between foreign Ministers and the Tsungli Yamên. This closed the Audience, which may have lasted a little more than five minutes.

We then all withdrew in the usual fashion, "à reculons," and bowing, with the exception of M. de Geofroy, Minister of France, who had a reply to deliver from his Government to the letter of explanations carried to France in 1870 by the Minister Chunghow. That with which M. de Geofroy was charged may be considered to close all discussion regarding the Tientsin massacre. . . . The second audience was over as quickly as the first, and M. de Geofroy presently overtook us at the Shih-ying-K'ung, whence, after a short session, we were conducted to our chairs by the Ministers of the Yamên, the Grand Secretary joining the rest at the gate.

The third audience—French

There was a strong disposition to establish a rule by which no audience should be granted except to a quorum of five Ministers. The Japanese Ambassador was nevertheless granted his audience alone, and the second audience accorded to M. de Geofroy will always be referred to as a precedent for the admission of any single Minister who is charged with a written message from his Government.

Considering the antecedents of the discussion, I regard M. de Geofroy's separate audience as the most important result of the whole, always with a single exception. That exception is the concession of the audience, at all, to a number of foreigners declining not only to perform the kotow, but even to bend the knee. We must remember the long-standing pretension of the Emperor of China to this act of homage, and the tradition of isolated supremacy on which that pretension has been based. The Empire has, for the first time in its history, broken with the tradition; not, it may be, with a good grace, but still has broken with it past recall; and while I would anxiously deprecate a too sanguine estimate of its results, immediate or remote, I am as little disposed to undervalue the significance of the change that has been effected. We are not free to forget the conditions under which but a century ago the Representatives of friendly states were admitted into the presence of the Sultan at Constantinople. . . . In a country like this, therefore, where forms of longer standing far than in the sister strongholds of immutability, so largely usurp the place of substance, it is not to be disputed that in its present departure from precedent an important beginning has been made. There may be—there is—very much in our late reception that falls short of the standard of our requirements,

An important precedent formed

An ancient tradition broken

as authorized by the usages of the Western world; but we appeared face to face with the Emperor, standing, because we represented Governments the equal of his own, and in the recognition of this equality China has commenced her retreat from the maintenance of that claim to be greater and better than her neighbours, which has proved, more than any other, a cause of hindrance to her improvement at home, and as a consequence, a standing danger to the security of her relations abroad.

## *Section 47. Murder of Mr. Margary, and the Chefoo Convention*

At the beginning of the third quarter of the nineteenth century, the British were anxious to open up trade relations with southwestern China, including the provinces of Szechwan, Yünnan, and Kweichow. They hoped to develop a trade route from Bhamo in Burma to Yünnanfu. The government of British India, in 1874, started a large expedition under Colonel Browne for purposes of exploration. For this expedition an interpreter was requested from the British legation in Peking. Mr. Augustus Raymond Margary was chosen by the British envoy, Mr. T. F. Wade. He was provided with a passport. After a five months' trip, Mr. Margary reached Bhamo on January 17, 1875. When the expedition started, Mr. Margary went ahead on account of rumors of trouble. Two days after recrossing into China, Mr. Margary was treacherously murdered as the result of a plot involving the king of Burma and Tsen Yu-ying, the governor-general of Yünnan.

272. Mr. Wade to the Prince of Kung; account of Mr. Margary

A party of British officers and others, to whom passports under the seal of the Tsung-li Yamên were issued last July, authorising them to pass from Burma into Yünnan, and to travel in China, were attacked on the 22nd February by a Chinese force in the sub-prefecture of Têng Yueh. otherwise Momein. . . .

From an observation made by one of the Ministers who called at the Legation on the 19th instant, it is evident that the Chinese Government is unacquainted with the relations between Burma and England; it is unaware that a large portion of Burma is a British province, and that, with the consent of the King of Burma, British officers of the Indian Government are stationed permanently at different points in his dominions for the surveillance of British interests. They are well acquainted with the language and people of the country, and their information is excellent.

In the telegram of the 2nd instant the Chief Commissioner in Burma states that the body who attacked the British party was but the advanced guard of a force of 3,000 men sent down by the Momein authorities to annihilate the British expedition. Of this, adds the Commissioner, there is not any doubt. He goes on to say that Mr. Margary was killed with his Chinese servants at a town called Man-yün . . . and that his head and the heads of his servants were exposed on the walls of the town.

**Mr. Margary's functions**

Mr. Margary, as your Imperial Highness is aware, was sent by me to meet this mission. Being thoroughly alive to the importance of having some one with the mission, who, besides being acquainted with the Chinese language, was in other respects a competent agent, I specially selected Mr. Margary, a young man of great promise, for the service.

Since the arrival of the Viceroy's telegram announcing his murder, I have received, by way of Rangoon, a note written to me by Mr. Margary from Bhamo, dated the 18th January.

**The trip to Bhamo**

From this it appears that on reaching Momein he had found letters waiting for him from the Political Agent of the Indian Government stationed at Bhamo in Burma, informing him that the expedition would not be able to move forward quite so early as had been expected, and leaving it to him to wait for it at Momein or to come on as he thought best.

After some reflection Mr. Margary pushed on to Nan-tien and thence to Man-yün, at which place he found Li Ssŭ-tai engaged in an attempt to establish regulations for the trade of the tribes in the neighbourhood. From Man-yün he sent on his Chinese messenger Liu to Bhamo for instructions. Several days passed before Liu returned. During the whole of that time Mr. Margary remained at Man-yün, where he reports that Li Ssŭ-tai treated him with the greatest civility.

I draw particular attention to the fact of his friendly reception by Li Ssŭ-tai, and of his prolonged residence at Man-yün; because, according to the Chief Commissioner's telegram, it was by Li Ssŭ-tai's nephew that the attacking

party was commanded on the 22nd February, and it is in or near Man-yün that Mr. Margary and his Chinese attendants were barbarously murdered.

I most distinctly protest, therefore, before any inquiry takes place, against all explanations attributing what has happened to misconception of the nature of the mission that has been repulsed. It consisted of a military officer,a medical man, an interpreter, and a civilian tourist without any official character—the four persons, in short, for whom the passports of July last were obtained. The Government of Yünnan was advised by the letter from the Yamên, which Mr. Margary carried with him, of the approach of the mission, and the direction it would probably take. The Governor of Yünnan sent officers with him as far as Yung Ch'ang. Mr. Margary passed a number of days at Man-yün in friendly intercourse with Li Ssŭ-tai, and the telegram announcing his arrival at Bhamo on the 17th January, which called for my letter of acknowledgements addressed to your Imperial Highness on the 3rd March, assured me (of course on the testimony of Mr. Margary), that the Chinese officials in Yünnan were anxiously awaiting the mission.

Under date of October 14, 1864, writing from Fort William, the secretary to the government of India, in a communication to the chief commissioner of British Burma, gives the purposes of the Browne expedition from Burma into China which resulted in the event described above.

273. The purposes of the Indian mission

The expedition is sent purely for purposes of exploration and report. Colonel Browne is not invested with any diplomatic powers, and is not authorized to enter into any negotiations with the local Chinese officers, with a view to secure either political or commercial privileges. The principal object is to explore trade routes, to ascertain the obstacles that exist in the way of opening up the old routes, and how those routes could be improved; and to report upon the best means of transport, the burdens to which trade is subject, the measures which it may be practicable to adopt for the protection of traders, and the agency through which it would appear most advisable that trade should be carried on. It will also be the duty of the members of the expedition to obtain as much information as possible regarding the condition, resources, history, geography, and trade of the territories through which

they may pass, and any matters of general or scientific interest which they may have the opportunity and means of observing. . . .

No particular instructions can be given as to the period of the stay of the expedition in the country. Colonel Browne will endeavour to make it as brief as possible consistently with the attainment of the objects of the expedition.

Mr. Margary was murdered on February 21; it was not until March 11 that Mr. Wade received a telegram in Peking from the India Office in London notifying him of the tragedy. On the nineteenth, he forwarded a memorandum of demands to the Tsungli Yamen.

274. Redress demanded by Mr. Wade

1. The Chinese Government will send a special Commission to Momein to inquire into facts and causes of the attack on the expedition from Burma. No investigation or inquiry taken upon it will be satisfactory unless a British officer is present to assist in the inquiry. I shall be prepared to send one or two officers. The Indian Government will be invited to send an officer if it sees fit.

2. The Indian Government will, if it sees fit, send a a second mission into Yünnan to carry out the objects contemplated by that which has been repulsed.

3. The sum of 150,000 taels will be placed in my hands, to be applied as the Secretary of State for Foreign Affairs and the Secretary of State for India shall decide.

4. The Prince of Kung will at once arrange with me what steps are to be taken to give effect to Article IV of the Treaty of 1858; the word privileges is explained in a note.

5. The Prince of Kung will also arrange with me how effect is to be given to the Articles of the Treaties by which the freedom of British trade from all imposts over and above the Tariff and half Tariff duty is secured.

6. The Prince of Kung will at once cause all claims arising out of the action of officials to be satisfied.

(Signed) THOMAS FRANCIS WADE.

At the time that Mr. Margary was killed, there were many outstanding matters of disagreement between the

British and Chinese governments. One of the most important of these was that of the revision of the Treaty of Tientsin of 1858. Mr. Wade now seized the opportunity to try to settle several issues while negotiating with the Prince of Kung over Mr. Margary's death. In a communication to the prince, written from Shanghai April 28, 1875, Mr. Wade vindicated his position and his demands.

275. Mr. Wade's vindication of his position and his demands

For myself, I can honestly affirm that during the fifteen years that, as Chief or subordinate of Her Majesty's Legation, I have resided in Peking, the pertinacity with which I have again and again denounced the unwillingness of the Chinese Government to give that evidence, which a change in its bearing towards foreign Ministers would give, of an abandonment of its determination to stand aloof from the rest of the world, has not been due to any desire for the personal glorification either of myself or of my predecessors; that it has not been more due even to a desire to see the development of the legitimate interests of my own and other Governments that I feel must follow upon a renunciation of its traditional exclusivism by the Government of China, than to a conviction of the danger to which its persistence in its refusal to draw near to the rest of the world must expose it. It is to this end that in past years I have never ceased to urge upon the Yamên the necessity of according to foreign Ministers a position akin to what they enjoy at other Courts; a position that would significantly declare to the officials and people of this country that the Sovereigns, whom those Ministers represent, are their friends, and that their Representatives are consequently the privileged guests, of the Emperor of China. It is only when these conditions are satisfied as the Treaty requires, that China can be effectively represented abroad, and until she is so represented, she is at the mercy of a hundred dangers from which the pettiest States in the family of nations are comparatively secure.

For eighteen months, stormy discussions went on between Mr. Wade and the representatives of the imperial government. Finally, on September 13, 1876, the Convention of Chefoo was signed, which closed the Margary incident.

276. The Chefoo Convention, 1876

Agreement negotiated between Sir Thomas Wade . . . and Li. . . .

Preamble

The Negotiation between the Ministers above named has its origin in a despatch received by Sir Thomas Wade in the spring of the present year from the Earl of Derby, Principal Secretary of State for Foreign Affairs, dated 1st January 1876. This contained instructions regarding the disposal of three questions; first, a satisfactory settlement of the Yünnan affair; secondly, a faithful fulfilment of engagements of last year respecting intercourse between the high officers of the two Governments; thirdly, the adoption of a uniform system in satisfaction of the understanding arrived at in the month of September 1875 (8th moon of the 1st year of the reign Kwang Sü) on the subject of rectification of conditions of trade. . . .

Yünnan case

Section 1.—Settlement of the Yünnan case.

Memorial to the throne

(i) A Memorial is to be presented to the Throne, whether by the Tsungli Yamên or by the Grand Secretary is immaterial, in the sense of the Memorandum prepared by Sir Thomas Wade. Before presentation the Chinese text of the Memorial is to be shown to Sir Thomas Wade.

Proclamation to be published

(ii) The Memorial having been presented to the Throne, and the Imperial Decree in reply received, the Tsungli Yamên will communicate copies of the Memorial and Imperial Decree to Sir Thomas Wade, together with copy of a letter from the Tsungli Yamên to the Provincial Governments, instructing them to issue a proclamation that shall embody at length the above Memorial and Decree. Sir Thomas Wade will thereon reply to the effect that for two years to come officers will be sent by the British Minister to different places in the provinces to see that the proclamation is posted. On application from the British Minister, or the Consul of any port instructed by him to make application, the high officers of the provinces will depute competent officers to accompany those so sent to the places which they go to observe.

Yünnan frontier trade

(iii) In order to the framing of such regulations as will be needed for the conduct of the frontier trade between Burma and Yün Nan, the Memorial submitting the proposed settlement of the Yün Nan affair will contain a request that an Imperial Decree be issued directing the Governor General and Governor, whenever the British Government shall send officers to Yün Nan, to select a competent officer of rank to confer with them and to conclude a satisfactory arrangement.

British officials at Tali-fu

(iv) The British Government will be free for five years, from the 1st of January next, being the 17th day of the 11th moon of the 2nd year of Kuang Sü, to station officers

at Ta-li Fu, or at some other suitable place in Yün Nan, to observe the conditions of trade; to the end that they may have information upon which to base the regulations of trade when these have to be discussed. For the consideration and adjustment of any matter affecting British Officers or Subjects, these Officers will be free to address themselves to the Authorities of the province. The opening of the trade may be proposed by the British Government, as it may find best, at any time within the term of five years, or upon expiry of the term of five years.

Mission from India to Yünnan

Passports having been obtained last year for a Mission from India into Yün Nan, it is open to the Viceroy of India to send such Mission at any time he may see fit.

Indemnity

(v) The amount of indemnity to be paid on account of the families of the officers and others killed in Yün Nan; on account of the expenses which the Yün Nan case has occasioned; and on account of claims of British Merchants arising out of the action of officers of the Chinese Government, up to the commencement of the present year, Sir Thomas Wade takes upon himself to fix at two hundred thousand taels payable on demand.

Imperial apology

(vi) When the case is closed an Imperial Letter will be written expressing regret for what has occurred in Yün Nan. The Mission bearing the Imperial Letter will proceed to England immediately. Sir Thomas Wade is to be informed of the constitution of this Mission for the information of his Government. The text of the Imperial Letter is also to be communicated to Sir Thomas Wade by the Tsung Li Yamên. . . .

Section II.—Official Intercourse.

Official intercourse

Under this heading are included the conditions of intercourse between high officers in the capital and the provinces, and between Consular Officers and Chinese Officials at the ports; also the conduct of judicial proceedings in mixed cases.

(i) In the Tsung-li Yamên's Memorial of the 28th September 1875, the Prince of Kung and the Ministers stating that their object in presenting it had not been simply the transaction of business, in which Chinese and foreigners might be concerned; Missions abroad and the question of diplomatic intercourse lay equally within their prayer.

Code of etiquette

To the prevention of farther misunderstanding upon the subject of intercourse and correspondence, the present conditions of both having caused complaint in the capital and in the provinces, it is agreed that the Tsung Li Yamên shall address a Circular to the Legations inviting Foreign Representatives to consider with them a code of etiquette; to the end

that Foreign officials in China, whether at the ports or elsewhere, may be treated with the same regard as is shown them when serving abroad in other countries, and as would be shown to Chinese Agents so serving abroad.

The fact that China is about to establish Missions and Consulates abroad renders an understanding on these points essential.

Criminal jurisdiction

(ii) The British Treaty of 1858, Article XVI, lays down that "Chinese Subjects who may be guilty of any criminal act towards British Subjects shall be arrested and punished by Chinese Authorities according to the laws of China.

"British Subjects, who may commit any crime in China, shall be tried and punished by the Consul, or any other public functionary authorized thereto, according to the laws of Great Britain.

"Justice shall be equitably and impartially administered on both sides."

The words "functionary authorized thereto" are translated in the Chinese text "British Government."

Supreme court at Shanghai

In order to the fulfilment of its Treaty obligations, the British Government has established a Supreme Court at Shanghai, with a special code of rules, which it is now about to revise. The Chinese Government has established at Shanghai a Mixed Court, but the Officer presiding over it, either from lack of power, or dread of unpopularity, constantly fails to enforce his judgements.

Justice at treaty ports

It is now understood that the Tsung Li Yamên will write a Circular to the Legations, inviting Foreign Representatives at once to consider with the Tsung Li Yamên the measures needed for the more effective administration of justice at the ports open to trade.

Questions of extraterritoriality

(iii) It is agreed that whenever a crime is committed affecting the person or property of a British Subject, whether in the interior or at the open ports, the British Minister shall be free to send officers to the spot to be present at the investigation.

To the prevention of misunderstanding on this point, Sir Thomas Wade will write a Note to the above effect, to which the Tsung Li Yamên will reply, affirming that this is the course of proceeding to be adhered to for the time to come.

It is farther understood that so long as the laws of the two countries differ from each other there can be but one principle to guide judicial proceedings in mixed cases in China, namely, that the case is tried by the official of the defendant's nationality; the official of the plaintiff's nationality merely attending to watch the proceedings in the interests of justice. If the officer so attending be dissatisfied with

the proceedings, it will be in his power to protest against them in detail. The law administered will be the law of the nationality of the officer trying the case. This is the meaning of the words *hui t'ung*, indicating combined action in judicial proceedings in Article XVI of the Treaty of Tientsin, and this is the course to be respectively followed by the officers of either nationality.

Section III.—Trade. Trade

(i) With reference to the area within which, according to the Treaties in force, *likin* ought not to be collected on foreign goods at the open ports, Sir Thomas Wade agrees to move his Government to allow the ground rented by foreigners (the so called concessions) at the different ports to be regarded as the area of exemption from *likin;* and the Government of China will thereupon allow I-chang in the Province of Hu-Pei, Wu-hu in An-Hui, Wên-chow in Che Kiang and Pei-hai (Pak-hoi) in Kuang Tung, to be added to the number of ports open to trade, and to become Consular stations. The British Government will farther be free to send officers to reside at Chung-king, to watch the conditions of British trade in Ssŭ-chuen. British merchants will not be allowed to reside at Chung-king, or to open establishments or warehouses there, so long as no steamers have access to the port. When steamers have succeeded in ascending the river so far, further arrangements can be taken into consideration. Likin Four new ports to be opened Chungking

It is farther proposed, as a measure of compromise, that at certain points on the shore of the Great River, namely, Ta-t'ung and Nganching in the Province of An-Hui; Hu-k'ou in Kiang-Si; Wu-süeh, Lu-chi-k'ou, and Sha-shih in Hu Kuang; these being all places of trade in the interior, at which, as they are not open ports, foreign merchants are not legally authorized to land or ship goods, steamers shall be allowed to touch for the purpose of landing or shipping passengers or goods; but in all instances by means of native boats only: and subject to the regulations in force affecting native trade. Six ports of call

Produce accompanied by a half-duty certificate may be shipped at such points by the steamers, but may not be landed by them for sale.

And at all such points, except in the case of imports accompanied by a transit duty certificate, or exports similarly certificated, which will be severally passed free of *likin*, on exhibition of such certificates, *likin* will be duly collected on all goods whatever by the native authorities.

Foreign Merchants will not be authorised to reside or open houses of business or warehouses at the places enumerated as ports of call.

Settlement area to be defined

(ii) At all ports, opened to trade, whether by earlier or later agreement, at which no settlement area has been previously defined, it will be the duty of the British Consul, acting in concert with his colleagues the Consuls of other Powers, to come to an understanding with the local authorities regarding the definition of the foreign settlement area.

Opium

(iii) On opium Sir Thomas Wade will move his Government to sanction an arrangement different from that affecting other imports. British merchants, when opium is brought into port, will be obliged to have it taken cognisance of by the Customs, and deposited in bond, either in a warehouse or a receiving hulk, until such time as there is a sale for it. The importer will then pay the tariff duty upon it, and the purchasers the *likin*, in order to the prevention of the evasion of the duty. The amount of *likin* to be collected will be decided by the different Provincial Governments according to the circumstances of each. . . .

New ports and landing places to be opened within six months

(vi) The foregoing stipulation, that certain ports are to be opened to foreign trade, and that landing and shipping of goods at six places on the Great River is to be sanctioned, shall be given effect to within six months after receipt of the Imperial Decree approving the Memorial of Grand Secretary Li.

The date for giving effect to the stipulations affecting exemption of imports from *likin* taxation within the foreign settlements, and the collection of *likin* upon opium by the Customs Inspectorate at the same time as the Tariff duty upon it, will be fixed as soon as the British Government has arrived at an understanding on the subject with other foreign Governments.

Hongkong complaints

(vii) The Government of Hongkong having long complained of the interference of the Canton Customs Revenue Cruisers with the junk trade of that Colony, the Chinese Government agrees to the appointment of a Commission, to consist of a British Consul, an officer of the Hongkong Government, and a Chinese official of equal rank, in order to the establishment of some system that shall enable the Chinese Government to protect its revenue without prejudice to the interests of the Colony.

## SEPARATE ARTICLE

Entrance into Tibet

Her Majesty's Government having it in contemplation to send a mission of exploration next year by way of Peking through Kan Su and Koko Nor, or by way of Ssu Chuan, to Thibet, and thence to India, the Tsungli Yamên, having

due regard to the circumstances, will, when the time arrives, issue the necessary passports, and will address letters to the high provincial authorities and to the Resident in Thibet. If the Mission should not be sent by these routes, but should be proceeding across the India frontier to Thibet, the Tsungli Yamên, on receipt of a communication to the above effect from the British Minister, will write to the Chinese Resident in Thibet, and the Resident, with due regard to the circumstances will send officers to take due care of the Mission, and passports for the Mission will be issued by the Tsungli Yamên that its passage be not obstructed.

Done at Chefoo, in the Province of Shan Tung, this thirteenth day of September in the year of Our Lord onethousand eight hundred and seventy-six.

(L.S.) (Signed) THOMAS FRANCIS WADE.
(L.S.) (Signed) CHINESE PLENIPOTENTIARY.

Opinion as to the worth of the Chefoo Convention has been anything else than unanimous. The British point of view has been one of bitter criticism. That of the French historian Henri Cordier was on the whole favorable; this writer considered that the convention ranked next after the treaties of 1842 and 1858, and this point of view has been advocated by Mr. H. B. Morse in his *International Relations*. One of the most recent commentaries on the convention is that found in Mr. J. O. P. Bland's *Li Hung-chang*.

277. A modern criticism of the Chefoo Convention

The Chefoo Convention, in which the Margary case was finally disposed of, was a notable triumph for Li Hung-chang's diplomacy as High Commissioner, and nothing more. It left no room for doubt as to his remarkable talent in the matter of setting one barbarian against the other and in judging to a nicety the aggressive capabilities of his opponents. Long before his own emergence upon the scene, he had so directed the course of negotiations at Peking that the Yünnan outrage had gradually become inextricably mixed up with the question of the revision of the Treaty of Tientsin, a question in which the Chinese Government took much

more interest than in the murder of a British official, and in which other Treaty Powers were equally interested. Having achieved this result and complicated the issues, it was an easy matter for him to persuade the representatives of France, Germany, Russia, the United States, and other Powers that they were directly interested in the "commercial questions" to be discussed at the Chefoo Conference (into which the British Minister had been beguiled), and to obtain from them much valuable information and advice, in return for promises of the kind which competitive diplomacy is wont to appreciate. He learned through these channels, and by means of the judicious information from London supplied to him regularly by the Inspector-General of Customs, that the British Minister's threats of coercion would never lead to the firing of a gun or the landing of a man in anger; in fact, that the British Government was heartily sick of the whole business and would be glad to welcome its conclusion by any plausible face-saving arrangement. Li Hung-chang, on his side, once he had secured complete immunity for the Yünnan Viceroy in the Margary case, was quite willing to agree to the usual payment of blood-money for the life of a British official; but he balanced this graceful concession by obtaining conditions by which China might expect a considerable addition to the duties on Indian opium and new revenues from *likin* on foreign imports.

Attitude of British chambers of commerce

The success of Li Hung-chang's diplomacy, from the Chinese point of view, was sufficiently demonstrated by the hostile reception accorded to the Chefoo Convention by the Chambers of Commerce at Shanghai and Hongkong. "Far better", said the representative of the Shanghai merchants, "to revert to the clear and simple provisions of the Treaty of Tientsin. New elements of obscurity have now been introduced, and if twenty years have been spent wrangling over the comparatively simple wording of this Treaty, it is to be feared that no person now living will see the end of the controversies which will rage over the indefinite arrangements set forth in the Chefoo Convention." Thus, as a result of the British Government's errors of policy and vacillation and of Li Hung-chang's masterly diplomacy, the negotiations arising out of the murder of a British consular officer in Central China ended in providing the Chinese with an opportunity of undermining many of the trading rights conferred on foreigners under the Treaty of Tientsin and of securing a substantial increase of Customs revenue. The opposition and criticism of British merchants prevented the ratification of the Chefoo Convention for nine years; but China lost nothing by waiting, for the subsequent activities of the Marquis Tseng in London and of Sir Robert Hart in

Peking, all concentrated on the vital question of increased revenues, resulted in the "Additional Article" signed by Lord Salisbury in July, 1885, which established a Chinese *imperium in imperio* for revenue-collecting purposes in the British Colony of Hongkong, and brought Peking considerably nearer to its ultimate object, a monopoly in the native opium trade.

The signing of the convention was followed, as mentioned in the selection given above, by several years of discussion, having to do especially with the question of opium and the payment of likin. Finally, on July 18, 1885, an "Additional Article" to the Chefoo Convention was signed.

**278. The additional article, 1885**

The Governments of Great Britain and of China, considering that the arrangements proposed in clauses (i) and (ii) of Section III of the Agreement between Great Britain and China, signed at Chefoo on the 13th September 1876 (hereinafter referred to as the "Chefoo Agreement"), in relation to the area within which *likin* ought not to be collected on Foreign goods at the open ports, and to the definition of the Foreign Settlement area, require further consideration; also that the terms of clause (iii) of the same Section are not sufficiently explicit to serve as an efficient regulation for the traffic in Opium, and recognising the desirability of placing restrictions on the consumption of Opium, have agreed to the present Additional Article. . . .

2.—In lieu of the arrangement respecting Opium proposed in clause (iii) of Section III of the Chefoo Agreement, it is agreed that Foreign Opium, when imported into China, shall be taken cognizance of by the Imperial Maritime Customs, and shall be deposited in bond, either in warehouses or receiving hulks which have been approved of by the Customs, and that it shall not be removed thence until there shall have been paid to the Customs the tariff duty of 30 taels per chest of 100 catties, and also a sum not exceeding 80 taels per like chest as *likin*.

3.—It is agreed that the aforesaid import and *likin* duties having been paid, the owner shall be allowed to have the Opium repacked in bond under the supervision of the Customs, and put into packages of such assorted sizes as he may select from such sizes as shall have been agreed upon by the Customs authorities and British Consul at the port of entry.

The Customs shall then, if required, issue gratuitously to the owner a transit certificate for each such package, or one for any number of packages, at the option of the owner.

Such certificate shall free the Opium to which it applies from the imposition of any further tax or duty whilst in transport in the interior, provided that the package has not been opened, and that the Customs seals, marks, and numbers on the packages have not been effaced or tampered with.

Such certificate shall have validity only in the hands of Chinese subjects and shall not entitle foreigners to convey or accompany any Opium in which they may be interested into the interior. . . .

5.—The Chinese Government undertakes that when the package shall have been opened at the place of consumption the Opium shall not be subjected to any tax or contribution, direct or indirect, other than or in excess of such tax or contribution as is or may hereafter be levied on Native Opium.

In the event of such tax or contribution being calculated *ad valorem* the same rate, value for value, shall be assessed on Foreign and Native Opium, and in ascertaining for this purpose the value of Foreign Opium the amount paid on it for *likin* at the port of entry shall be deducted from its market value. . . .

10.—The Chefoo Agreement, together with and as modified by, the present Additional Article, shall be ratified, and the ratifications shall be exchanged at London as soon as possible. . . .

(L.S.) Salisbury.
(L.S.) Tseng.

## *Section 48.—Russia and Ili*

The earth-hunger of Russia had been but whetted by the territory that that country had received from China in 1860. A rebellion in Central Asia gave Russia further opportunity for expansion under a legitimate plea of self-preservation from danger. The facts in the case are succinctly narrated below.

279. Summary of the affair

Russia's next opportunity for advancing her purpose of peaceful penetration occurred in Kashgaria, as the result

of Yakub Beg's successful revolt against China's loosely-exercised authority in that region. For many years Russia had been slowly but surely moving eastward towards the Valley of Ili (Kuldja) through the Khanate of Khokand. In 1851 Colonel Kovalesky had concluded a "Commercial Treaty" providing for the presence of a Russian consul and a Russian settlement at Ili. In 1863 a rising of the Tungani tribe expelled the representatives of China's sovereignty from a large part of Kashgaria. Thereafter the insurrection under Yakub Beg increased and spread. Kashgar, Yarkand, Khotan, Sarikol, one strong place after another, fell into his hands, and it seemed for a time as if a great new Empire were destined to arise from amidst the chaos of inter-tribal strife in Central Asia. During this period Yakub was a personage to be reckoned with. England sent two special missions to his Court at Yarkand (1870 and 1873) and the Russians recognized his authority by concluding a Commercial Treaty with him in 1872. In the meanwhile, however, the forces of the Tzar were steadily pegging out claims to a reversion of the "great inheritance" which the Manchu Emperor Ch'ien Lung had won by arms for China and which was now slipping from the hands of his degenerate descendants. In 1865 the Government of Russian Turkestan was created, after the taking of Tashkend. Finally, in 1871, a Russian force occupied Ili, on the ground that the anarchy prevailing in Kashgaria had become a serious menace to Russian interests. Ili had been lost to Peking by the insurrection of 1866, and it did not then appear probable that she would be able to resume the government of the turbulent Mahomedans with the military forces at her disposal. Regarding the situation in this light, M. Vlangaly, Russian Minister at Peking, informed the Tsung-li Yamên that, as soon as the Khirgiz tribes were pacified and the frontiers secured, Ili would be restored to China. But Russia's hopes of remaining in justifiable possession were unexpectedly frustrated by Tso Tsung-tang's victorious campaign, which put an end to Yakub Beg and his rebellion in 1877, retaking the eight cities of Turkestan and leaving a devastated country along all his line of march. The time had now come for Russia to redeem her promise, but she found plausible pretexts for delaying the evacuation of Kuldja (Ili) and for complicating the question by several side-issues.

Yakub Beg

Ch'ung Hou, a relative of Prince Kung, was thereupon sent to Russia to settle the matter; he arrived at St. Petersburg in December, 1878. An easy-going mandarin, without claims to any special knowledge of the question under discussion, he agreed to the payment of five million roubles for the expenses of the Russian occupation and to the opening of a new caravan route for the Russian brick-tea trade; finally,

Ch'ung Hou as plenipotentiary

on his own initiative, against the instructions of the Yamên, he consented to a "rectification of the frontier," which left Russia in possession of seven-tenths of the province, including its most important strategical points and Ch'ien Lung's famous military road over the Muzart Pass. Ch'ung Hou suffered not only from complete ignorance of the geography of Kashgaria, but from acute nostalgia; his one and only idea was to get back to China as quickly as possible. Accordingly at Livadia, where the Tzar was in residence, he signed the Treaty which bears that name (October, 1879) and promptly left for home. In his haste he had conceded to Russia as much as she might reasonably have claimed after a victorious war. Returning to Peking in January, 1880, he found himself cashiered and handed over to the Board of Punishments and finally condemned to death. At this stage of the matter Li Hung-chang comes prominently upon the scene. . . .

Li Hung-chang's diplomacy

He knew, and made good use of the knowledge, that England and France were both anxious (though for very different reasons) to dissuade Russia from embarking on a policy of military adventure in the Far East. He knew also that the war party at St. Petersburg would not easily persuade the Russian Government to embark on an Asiatic campaign, even though it had been able to secure an imposing naval demonstration in Chinese waters. Paying, therefore, no heed whatsoever to the clamour of the "howling dogs", he proceeded, by diplomacy of the kind which he thoroughly understood, to bring into play arguments which eventually brought about the reprieve of Ch'ung Hou, the complete discomfiture of his own antagonists at the capital and a satisfactory revision of the Treaty of Livadia. . . .

The French and British Ministers were willingly led to approach the Yamên and to urge the remission of the death sentence on Ch'ung Hou; as a result, the Marquis Tseng at St. Petersburg was authorised to inform the Russian Government that this had been done. Li, anxious to end matters, telegraphed to Tseng, on his own account, advising him not to haggle over trifles in the revision of the Treaty; he knew, but ignored the fact, that the Minister of War was telegraphing from Peking in the opposite sense. The Russian Government was placated and satisfied by the surrender of the Yamên in the matter of Ch'ung Hou and allowed itself to be persuaded into further negotiations, and this the more readily because the Governor of Eastern Siberia had solemnly declared himself unable to cope with Tso Tsung-tang's forces, in the event of war, without heavy reinforcements. . . .

Gordon's advice

Remembering Gordon's views on the subject of China's military forces and his world-wide prestige, Li conceived, and confided to Sir Robert Hart for discreet execution, the

idea of asking that famous knight-errant to hasten to Peking, there to advise the Chinese Government in the matter of peace or war. Gordon was . . . in India. . . . He started off for China at a moment's notice. . . . Before his arrival at Shanghai, Peking and all the world knew that he was going to advise the Chinese Government to make peace at any price. . . . His advice was promptly dispensed with. . . . The advice which he gave, though distasteful to the war party, undoubtedly influenced them to adopt a less bellicose attitude. . . . The Treaty of Livadia was reopened and fresh terms negotiated by the Marquis Tseng at St. Petersburg, with the result that in the end China's face was saved by Russia's restitution of the greater part of the territory in dispute. By the new Treaty (February 12th, 1881) the Tekkes Valley and the Mauzart Pass remained in Chinese hands, and the fact that Russia was entitled to retain possession of certain strategical coigns of vantage was not emphasised by either party in the negotiations. Diplomatically, China had achieved a notable success, and Li Hung-chang emerged from the fray with new and well-won feathers in his cap.

The treaty

The Treaty of St. Petersburg signed by Marquis Tseng on behalf of China on February 12, 1881, is given here. This was considered to be a distinct triumph for Marquis Tseng, for, as Lord Dufferin, the British ambassador to the court of St. Petersburg, remarked: "China has compelled Russia to do what she has never done before, disgorge territory that she had once absorbed."*

280. Russian-Chinese Treaty of St. Petersburg, 1881

His Majesty the Emperor and Autocrat of all the Russias and His Majesty the Emperor of China, desiring to regulate some questions of frontier and trade touching the interests of the two Empires, in order to cement the relations of friendship between the two countries, have named for their plenipotentiaries, to the effect of establishing an agreement on these questions:—

His Majesty the Emperor of all the Russias: His Secretary of States Nicholas de Giers . . . and Eugène de Buzow. . . .

And His Majesty the Emperor of China: Tseng, Marquess of Neyong. . . .

* See H. B. Morse's *International Relations*, Vol. II, p. 339.

The above-named plenipotentiaries, furnished with full powers, which have been found sufficient, have agreed upon the following stipulations :—

Art. I.—His Majesty the Emperor of all the Russias consents to the re-establishment of the Chinese Government in the country of Ili, temporarily occupied since 1871 by the Russian Armies. Russia remains in possession of this country, within the limits indicated by Article VII of the present Treaty.

Art. II.—His Majesty the Emperor of China engages to decree the proper measures to shelter the inhabitants of the country of Ili, of whatever race and to whatever religion they belong, from all prosecution, in their goods or in their persons, for acts committed during or after the troubles that have taken place in that country.

A proclamation in conformity with this engagement will be addressed by the Chinese authorities, in the name of His Majesty the Emperor of China, to the population of the country of Ili, before the restoration of this to the said authorities.

Art. III.—The inhabitants of the country of Ili will be free to remain in the places of their actual residence as Chinese subjects, or to emigrate to Russia and to adopt Russian dependence. They will be called to pronounce themselves on this subject before the re-establishment of Chinese authority in the country of Ili, and a delay of one year, from the date of the restoration of the country to the Chinese authorities, will be accorded to those who show a desire to emigrate to Russia. The Chinese will oppose no impediment to their emigration or to the transportation of their moveable property. . . .

Art. V.—The two governments will appoint commissioners of Kuldja, who will proceed to the restoration on the one part, to the resumption on the other, of the administration of the province of Ili, and who will be charged, in general, with the execution of the stipulations of the present Treaty relating to the re-establishment, in this country, of the Chinese Government. . . .

Art. VI.—The Government of His Majesty the Emperor of China will pay to the Russian Government the sum of *nine millions of metallic roubles*, designed to cover the expenses occasioned by the occupation of the country of Ili by the Russian troops since 1871, to satisfy all the pecuniary claims arising from, up to the present day, the losses which Russian subjects have suffered in their goods pillaged on Chinese territories, and to furnish relief to the families of Russian subjects killed in armed attacks of which they have been victims on Chinese territory. . . .

Art. VII.—The western portion of the country of Ili is incorporated with Russia, in order to serve as a place of establishment for the inhabitants of this country, who shall adopt the Russian dependence and who, by this action, will have had to abandon the lands which they possessed there.

The frontier between the possessions of Russia and the Chinese province of Ili will follow, starting from the mountains Bèdjin-taou, the course of the river Khorgos, as far as the place where this river falls into the river Ili, and, crossing the latter, will take a direction to the south, towards the mountains Ouzoun-taou leaving to the west the village of Koldjat. Proceeding from this point it will follow, whilst being directed to the south, the delineation fixed by the Protocol signed at Tchugtuchack in 1864.

Art. XIX.—The stipulations of the old treaties between Russia and China, not modified by the present Treaty, remain in full vigour.

Art. XX.—The present Treaty, after having been ratified by the two Emperors, will be promulgated in each Empire, for the knowledge and governance of each one. The exchange of ratifications will take place at St. Petersburg, within a period of six months counting from the day of the signature of the Treaty. . . .

Done at St. Petersburg, the twelfth of February, eighteen hundred and eighty-one.

(Signed) (L.S.) Nicolas de Giers.
„ (L.S.) Eugene Butzow.
„ (L.S.) Tseng.

### *Section 49. France and Tonkin*

The French-Chinese trouble over Tonkin was another phase of the question that came to a head with the murder of Mr. Margary and the negotiating of the Chefoo Convention. Both were largely caused by a desire on the part of Western European powers to open trade relations with the southwestern provinces of China. Since the close of the eighteenth century France had been interested in Annam which was looked upon by China as a vassal state. French explorers traveled in Annam and Yünnan, studying possible trade routes between

1866 and 1873. By a treaty signed in 1874, the ruler of Annam really transferred his allegiance from his old overlord, the emperor of China, to France. In spite of this, however, the king of Annam sent the regular "tribute mission" to Peking in 1876 and 1880. Marquis Tseng at Paris inquired, in 1880, as to the designs of France in Tonkin, and in 1881 he protested against the French interpretation of the treaty of 1874 that Annam was an independant state. The fact that France intended to contest China's ancient rights in Annam was shown definitely in May, 1882, when the French minister of foreign affairs refused to discuss with China the question of Tonkin, the northern part of Annam, which it was now announced concerned only France and Annam.

**281. The beginning of the affair**

The first of these storms broke in 1884, as the result of the advance of France through Annam (Cochin China and Tongking) to the borders of Kuangtung and Kuangsi. The adventurous and ambitious policy of France, and the development of her great dreams of a colonial empire realised at China's expense in those regions, were undoubtedly attributable in great measure to the French Government's recollection of the indignities suffered at Tientsin in 1870, and of the advantage which Li Hung-chang had taken on that occasion of the insuperable embarrassments of the Republic. While French expeditions were steadily advancing through Annam in the later 'seventies, the Chinese Government did nothing, either by military or diplomatic measures, for the protection of that vassal kingdom. Later, when Captain Rivière's expedition had given palpable indications of a dangerously ambitious programme, the Chinese Minister in Paris (Marquis Tseng Chi-tsê) was instructed to inform the French Government that any attack on Sontay and Bacninh would be regarded as a *casus belli*. These cities were taken by the French forces in the spring of 1884, and not only was the Tsung-li Yamên incapable of devising any means of active resistance, but it became consumed with unconcealed anxiety as to the possibility of an attack upon Canton. To Li Hung-chang, as usual, fell the task of averting this calamity.

After the Garnier expedition in 1874, France had concluded a Treaty with the King of Annam, which was officially communicated to the Chinese Government in May, 1875, and formally acknowledged, without protest, by Prince Kung. The King's vassaldom was of so tenuous a character, and his own field of vision so limited, that he did not consider it necessary to make any communication to Peking on the subject of this Treaty until 1882. At this date he made up his mind as to the respective merits and demerits of King Log and King Stork and thought fit to appeal to his suzerain for help against the encroachments of France. In the Treaty of 1874, the intention of the French Government to establish a protectorate over Annam had been made unmistakably clear, and the Chinese seem to have realised in a vague sort of way that its provisions were incompatible with the maintenance of their ancient suzerainty, hitherto recognized by the Annamite tribute missions to Peking. Nevertheless, they lacked energy and courage to face the definite issue, and matters were allowed to drift on the time-honoured "wait and see" principle, China's rights lapsing by default as the French invasion advanced. The capture of the citadel of Hanoi (April, 1882) finally compelled them to take action of some sort. Chinese troops were accordingly sent to cooperate with the "Black Flag" irregulars, who, as local levies, had been waging guerilla warfare, not altogether unsuccessfully, in Tongking. . . .

The "Black Flags" were a force composed originally, to a great extent, of ex-Taiping troops. They were mercenaries who, in 1864, were driven by imperial troops into Annam; there they were used by the Annamese against the French in 1873. They were used later by the *Chinese* against the French. They held the Red River route which blocked the progress of the French merchants into Yünnan. In April, 1883, the French government prepared for an expedition to Tonkin. The Black Flags were at this time around Hanoi. In May of this year their leader issued the following challenge. The French commander of the garrison of Hanoi accepted the challenge and on May 19 was killed in action.

**282. Proclamation from Liu Yung-fu, the Black Flag chief**

You French brigands live by violence in Europe and glare out on all the world like tigers, seeking for a place to

exercise your craft and cruelty. Where there is land you lick your chops for lust of it; where there are riches you would fain lay hands on them. You send out teachers of religion to undermine and ruin the people. You say you wish for international commerce, but you merely wish to swallow up the country. There are no bounds to your cruelty, and there is no name for your wickedness. You trust in your strength, and you debauch our women and our youth. Surely this excites the indignation of gods and men, and is past the endurance of heaven and earth. Now you seek to conquer Annam, and behind the dummy of international commerce cast the treaty aside and befool the world, that you may satisfy your lust for blood, capture cities, storm towns, slaughter Mandarins, and rob everybody. Your crimes are unspeakable. Not all the water in the West River would wash out your shame. He who issues this proclamation has received behest to avenge these wrongs. He has taken oath to exterminate you with an army which bears Ni ("Justice") on its banners. His first desire was at once, with the speed of the thunderbolt, to descend on your rabbit holes and exterminate you without pity like the vermin you are. Such would raise rejoicing in the heart of man, and would be a symbol of Heaven's vengeance. But Hanoi is an ancient and honorable town. It is filled with honest and loyal citizens. Therefore could he not endure that the city should be reduced to ruins, and young and old be put to the sword.

Therefore, now do I, Liu Yung-Fu, issue this proclamation. Know, ye French robbers, that I come to meet you. Rely on your strength and rapine, and lead forth your herd of sheep and curs to meet my army of heroes and see who will be master. Wai-Tak-Fe, an open space, I have fixed on as the field where I shall establish my fame. If you own that you are no match for us; if you acknowledge your carrion Jews are only fit to grease the edge of our blades; if you would still remain alive, then behead your leaders, bring their heads to my official abode, leave our city, and return to your own foul lairs. Then I out of regard for the Lord of Heaven, for humanity, and for my commission from Government to maintain peace, will not slaughter you for mere personal gratification. But if you hesitate and linger on, hankering for what you cannot take, one morning my soldiers will arrive, and with them dire misfortune for you. Take heed and yield while yet you may. Be not as mules and involve yourselves in ruin. Let each man ponder this well, while yet he may save himself from death.

Three months after the death of Rivière, France signed a treaty with Annam by which that country

definitely became a protectorate of France who was to manage all foreign affairs for Annam, even including those with China. Now it was that Li Hung-chang was appointed by the imperial government to negotiate affairs with the French. The end of the year 1883 and the spring of 1884 saw French arms triumphant in Tonkin. China feared an attack on Canton, which was known to be in no state to withstand the French. Nevertheless the French were not anxious to carry the war into the Chinese camp, as it would be expensive, and the results uncertain. The political situation at home did not warrant such action if it could be avoided. The result was that Commandant E. Fournier was appointed to meet Li Hung-chang in Tientsin to consider matters. There, on May 11, 1884, the Li-Fournier Convention was signed.

283. The Li-Fournier Convention, 1884

ARTICLE I.

France undertakes to respect and protect against any aggressive measures whatsoever, and under all circumstances, the southern frontiers of China bordering on Tonquin.

ARTICLE II.

The Celestial Empire, reassured of the formal guarantees of good-neighbourly feeling accorded to her by France as regards the integrity and safety of the southern frontiers of China, undertakes:—

1. To withdraw immediately to her frontiers the Chinese garrisons of Tonquin.

2. To respect, now and in the future, the Treaties directly concluded or to be concluded, between France and the Court of Hué.

ARTICLE III.

In recognition of the conciliatory attitude of the Government of the Celestial Empire, and as a tribute to the patriotic wisdom of his Excellency Li Hung-chang, the negotiator of this Convention, France will not ask for an indemnity from China. In return for this, China undertakes to permit,

over the whole extent of her southern frontiers bordering on Tonquin, free traffic in goods between Annam and France on the one part and China on the other, to be regulated by a Commercial and Customs Convention, which shall be drawn up in the most conciliatory spirit on the part of the Chinese negotiators, and under the most advantageous conditions possible for French commerce.

ARTICLE IV.

The French Government undertake to make use of no expression calculated to prejudicially affect the prestige of the Celestial Empire in drafting the definitive Treaty which they are about to conclude with Annam and which will annul former Treaties relative to Tonquin.

ARTICLE V.

As soon as the present Convention shall have been signed, the two Governments shall name their plenipotentiaries, who shall meet in three months' time to work out the details of a definitive Treaty on the bases established by the preceding Articles.

In conformity with diplomatic usage, the French text shall be binding.

Owing to a misunderstanding between the leaders of the French and Chinese forces at Baclé on the border between Kwangsi and Tonkin, a skirmish took place in which the French lost twenty-two killed and sixty-eight wounded. This unfortunate affair was the cause of continuing the struggle between France and China another year. The Li-Fournier Convention was thus, for the time, of no value. The way in which the struggle went on is told in the selection following the one below. The fear of trouble around Shanghai that would interrupt international shipping caused discussion as to the neutralization of that city. France agreed later not to trouble Shanghai. A letter from Sir Harry Parkes, British minister to Peking, to the British consul general at Shanghai, forms an interesting comment on conditions in 1884. The letter bears date of September 14.

284. Sir Harry Parkes on the neutralization of Shanghai

I have yours up to the 8th and your telegram of the 11th, reporting that the Chamber of Commerce have written about the river and pressing for neutralization. I am afraid little can be done to secure the latter in a form that would be thoroughly effective; for neither Chinese nor French would observe any voluntary neutralization beyond a point that would accord with their individual convenience; and if it is to be effected by the action of the neutral Powers, the latter must be prepared to take Shanghai into their hands and *compel* both French and Chinese to observe a strict neutrality. Thus French ships of war could not be permitted to enter the river, nor could the Chinese be permitted to make Shanghai a base of troops, ships, or supplies, to be used against the French. We should have to prevent French ships of war coming for coals or supplies, and equally to prevent the shipment of munitions of war from Shanghai in foreign vessels by the Chinese—which means *search*, etc. Such action on the part of the neutral Powers would be most unusual and would please neither France nor China. It could only be brought about by prolonged negotiation in Europe, and such armed interference could only be justified by stronger reasons than the Chamber of Commerce, I am afraid, would be able to supply. In short I should say it would be vain to look for it.

I am in hopes that there will now be a lull in these quasi-hostilities, because I do not see what the French can do next. Perhaps they will try to occupy the north of Formosa—perhaps they might turn their attention to Hainan. But I doubt their being able to attack Port Arthur in the North, Nanking in the Centre, or the Bogue Forts in the South. They would get hard knocks at all these places—much harder than they have yet encountered at Kilung or on the Min, where they were able to gain a commanding position by a course that was little less than treacherous. And their ill-considered and ineffective action has certainly failed. What, therefore, will they do next? Make war? A *corps d'armee* is necessary to subdue Peking, and when can France put a *corps d'armee* in the field? Certainly not this year, and the effort she would have to make would prove such a strain upon her resources and weaken her so seriously in Europe that I do not feel at all assured that she would care to make the attempt. She may cool down between this and the spring and see that the game is not worth the candle. If she liked to do so, she could now cry quits, say that she had thrashed the Chinese for their treachery at Langson, and take a commercial Treaty as compensation for expenses, and in order to give the world a proof of the noble generosity of France, etc. But if we are to have war, possibly the neutral

Powers might urge France to except Shanghai and the Yangtsze from the field of operations, though I doubt whether France would agree to do so.

The way in which France and China carried on a war which was not a war, and the manner in which Sir Robert Hart, the inspector-general of customs, and Viceroy Li Hung-Chang finally brought about peace are rather amusingly described by Mr. Michie in his *Englishman in China.*

285. The making of war and peace

For reasons of their own the French Government were averse to calling the hostilities "war", preferring reprisals and "intelligent destruction". By whatever name it may be called, the French did not distinguish themselves greatly in the conduct of the operations. Their only feat of arms was the destruction, at their anchorage in the river Min, of the Chinese ships belonging to the Foochow squadron, and of the arsenal. . . . Admiral Courbet found his destructive work easy, having entered the river and taken up a position in the rear of the batteries during time of peace. The subsequent operations in Formosa were without result; and the French Government refused permission to Admiral Courbet to attack Port Arthur, on the non-military ground of wishing to save the prestige of "notre ami Li Hung-chang". So far as the naval operations were concerned, even when most successful in intelligent destruction, they were quite ineffective towards ending the war until the method which has never failed to bring the Chinese Government to terms was resorted to—the stoppage of the grain-supply to the capital. This was accomplished by a patrol of the coast for the purpose of intercepting vessels carrying rice to Tientsin. The work performed during the winter and spring of 1885 by the French cruisers, in keeping the sea without any base and performing their patrol duties in all weathers, excited the admiration of seamen. It should be mentioned that they were precluded from acting offensively against the Yangtze by tacit understanding with Great Britain and other Powers.

If the breach of the peace between France and China was a historical curiosity, the eventual settlement of the dispute resembled a dramatic extravaganza. The final incident of the war in Tongking was the defeat of the French, followed by a panic, caused apparently by General Négrier being wounded. The force then made a disorderly retreat before imaginary pursuers. In the meantime the empress-

dowager had given positive orders that peace should be made on any terms. Both parties had thus come round to the *status quo ante bellum*—that is to say, they were both equally urgent to obtain peace, as they had been in May 1884. The agent in bringing this about was Sir Robert Hart; and it was effected, as great things usually are, by the adroit use of very simple means. During the blockade of Formosa a small Chinese lighthouse tender was captured by the French admiral and detained. As she was essentially non-combatant, and was serving the interests of humanity in supplying the numerous lighthouses on the coast of China for the benefit of the commerce of all nations, Sir Robert Hart instructed his very capable London agent, Mr. Duncan Campbell, to go to Paris and represent the case to the French Ministers, with a view to obtaining the release of so useful and harmless a vessel. In this manner the door was opened to the larger negotiation. Mr. Campbell executed his delicate mission with so much tact, that in the amicable conversations which ensued between him and certain French officials the idea of putting an end to a war of which both parties were tired, and which, moreover, seemed objectless, was ventilated; and in a few days authority was telegraphed from Peking to Mr. Campbell to sign a protocol.

Sir Robert Hart and Mr. Campbell

This was done before the news of the French reverse at Langson reached Paris. After such a military success M. Jules Ferry could not imagine that the Chinese Government would adhere to the terms of the protocol, and therefore he kept the whole negotiation secret from the Chambers. In the meanwhile the mishap to the French troops, being greatly exaggerated, excited such intense feeling in France that M. Ferry, *le tonkinois*, was obliged to resign, with the treaty which might have saved him in his pocket. As for the empress-dowager, she recked nothing of the success of her brave troops on the outskirts of the empire, but thought only of the enormous expense of the war, which had been unpleasantly brought home to her, and of matters affecting her own convenience. She there ore had no thought of going back on the treaty, but was even more urgent than before to have it promptly signed and ratified. The honours of the peace thus fell in a few days to M. Ferry's successor.

And what was the outcome of a year's fighting which cost China 100,000,000 taels and France some proportionate amount? A simple reaffirmation of the Li-Fournier convention of May 1884!

How and why Mr. Duncan Campbell went to Paris and there helped to bring about peace between the two

nations which were engaged in carrying on "reprisals" and "intelligent destruction," has been told above.

Following is the telegram sent by Sir Robert Hart to Mr. Campbell, for M. Jules Ferry, Premier of France, February 26, 1885. A protocol was agreed to on April 4, which consisted almost word for word of the first three articles of this telegram

**286. Telegram from Sir Robert Hart to Mr. Campbell, for M. Ferry**

*Peking, February* 26, 1885.

The Emperor has authorized the proposal of the four following Articles:

1. On the one part, China consents to ratify the Convention of Tien-tsin of May 1884, and on the other, France consents to demand nothing more than is stipulated in this Convention.

2. The two Powers agree to a general cessation of hostilities as soon as the orders can be given and received, and France agrees to raise at once the blockade of Formosa.

3. France agrees to send the Minister to the north, viz., to Tien-tsin or Peking, in order to settle the details of the Treaty, and the two Powers shall then fix the date for the withdrawal of the troops.

4. Mr. James Duncan Campbell, Commissioner and Secretary, detached from the Inspector-General of Chinese Imperial Maritime Customs, of the Second Class of Chinese Civil Rank, and Officer of the Legion of Honour, is invested with full powers as Special Chinese Commissioner to sign this Protocol jointly with the official appointed by France, by way of a preliminary understanding.

The protocol was signed April 4, 1885. The Li-Fournier Convention of May, 1884, was ratified by imperial decree of April 13, 1885. The Treaty of Tientsin was signed on June 9. By it China paid no indemnity, but France was recognized as having the suzerainty over Annam.

**287. Franco-Chinese Treaty of Tientsin, 1885**

The President of the French Republic and His Majesty the Emperor of China each animated by an equal desire to bring to an end the difficulties which have given rise to their simultaneous intervention in the affairs of Annam, and wish-

ing to re-establish and improve the relations of friendship and commerce which previously existed between France and China, have resolved to conclude a new treaty to further the common interest of both nations on the basis of the preliminary Convention signed at Tientsin on the 11th May, 1884, and ratified by an Imperial decree of the 13th April, 1885.

For that purpose the two high contracting parties have appointed as their plenipotentiaries the following, that is to say :—

The President of the French Republic, M. Jules Patenôtre . . . etc.;

And His Majesty the Emperor of China, Li Hung-chang. . . . ;

Assisted by Hsi Chen . . . ;

And Teng Chang-su . . . ;

Who having communicated their full powers, which have been found in good and due form, have agreed upon the following Articles :—

Peace to be established on Tonkin-China frontier

Art. I.—France engages to re-establish and maintain order in these provinces of Annam which border upon the Chinese Empire. For this purpose she will take the necessary measures to disperse or expel the bands of pirates and vagabonds who endanger the public safety, and to prevent their collection together again. Nevertheless the French troops shall not, under any circumstances, cross the frontier which separates Tonkin from China, which frontier France promises both to respect herself and to guarantee against any aggression whatsoever.

On her part China undertakes to disperse or expel such bands as may take refuge in her provinces bordering on Tonkin and to disperse those which it may be attempted to form there for the purpose of causing disturbances amongst the populations placed under the protection of France; and, in consideration of the guarantees which have been given as to the security of the frontier, she likewise engages not to send troops into Tonkin.

The high contracting parties will fix, by a special convention, the conditions under which the extradition of malefactors between China and Annam shall be carried out.

The Chinese, whether colonists or disbanded soldiers, who reside peaceably in Annam, supporting themselves by agriculture, industry, or trade, and whose conduct shall give no cause of complaint, shall enjoy the same security for their persons and property as French protégés.

China respects Franco-Annamese treaties

Art. II.—China, being resolved to do nothing which may imperil the work of pacification undertaken by France, engages to respect, both in the present and in the future,

the treaties, conventions, and arrangements concluded directly between France and Annam, or which may hereafter be concluded. As regards the relations between China and Annam, it is understood they shall be of such a nature as shall in no way injure the dignity of the Chinese Empire or give rise to any violation of the present treaty.

Frontier delimitation

Art. III.—Within a period of six months from the signature of the present treaty Commissioners appointed by the high contracting parties shall proceed to the spot in order to define the frontier between China and Tonkin. . . .

Passports

Art. IV.—When the frontier shall have been agreed upon, French or French protégés and foreign residents of Tonkin who may wish to cross it in order to enter China shall not be allowed to do so unless they shall have previously provided themselves with passports issued by the Chinese frontier authorities on the requisition of the French authorities. For Chinese subjects an authorisation given by the Imperial frontier authorities shall be sufficient.

Chinese subjects wishing to proceed from China to Tonkin by the land route shall be obliged to provide themselves with regular passports, issued by the French authorities on the requisition of the Imperial authorities.

Inland places of trade to be agreed on and opened

Art. V.—Import and export trade shall be permitted to French or French-protected traders across the land frontier between China and Tonkin. It shall, however, be carried on through certain spots which shall be settled later, and both the selection and number of which shall correspond with the direction and importance of the traffic between the two countries. In this respect the Regulations in force in the interior of the Chinese Empire shall be taken into account. . . .

Consuls to be appointed

On his part, His Majesty the Emperor of China shall be at liberty, with the concurrence of the French Government, to appoint Consuls in the principal towns of Tonkin.

Railways, etc., to be opened up in Tonkin

Art. VII.—With a view to develop under the most advantageous conditions the relations of commerce and of good neighbourship which it is the object of the present Treaty to re-establish between France and China, the Government of the Republic shall construct roads in Tonkin, and shall encourage the construction of railways there.

When China, on her part, shall have decided to construct railways, it is agreed that she shall have recourse to French industry, and the Government of the Republic shall afford every facility for procuring in France the staff that may be required. It is, moreover, understood that this clause shall not be looked upon as constituting an exclusive privilege in favour of France.

Kelung, etc., to be evacuated

Art. IX.—As soon as the present Treaty shall have been signed, the French forces shall receive orders to retire from

Kelung and to cease search, etc., on the high seas. Within one month from the signature of the present Treaty the Island of Formosa and Pescadores shall be entirely evacuated by the French troops.

Art. X.—All stipulations of former Treaties, Agreement, and Conventions between France and China, which are not modified by the present Treaty, remain in full force.

The present Treaty shall be ratified at once by his Majesty the Emperor of China, and after it shall have been ratified by the President of the French Republic, the exchange of ratification shall take place at Peking with the least possible delay.

Done in quardruplicate at Tientsin, this 9th June, 1885, corresponding to the 27th day of the 4th moon of the 11th year of Kwang Sü.

| | | |
|---|---|---|
| (L.S.) | (Signed) | Patenôtre. |
| (L.S.) | (Signed) | Hsi Chen. |
| (L.S.) | (Signed) | Li Hung-Chang. |
| (L.S.) | (Signed) | Teng Chang-Su. |

A private letter from Sir Robert Hart to his friend Mr. E. B. Drew, dated June 28, 1885, less than three weeks after the signing of the Treaty of Tientsin, discusses briefly that great man's part in the bringing of peace.

288. Sir Robert Hart's comments on the peace

"As for the peace—yes! I am awfully glad it has been hooked. No one knows the work and anxiety it has given me—or the strange responsibilities I have to shoulder largely—these last twelve months. The negotiation has had a half-dozen most curious episodes in it, and, were I at liberty to speak out, I could make a most interesting—and dramatic—story out of it. Campbell in Paris worked splendidly, and carried out all my instructions most admirably. I don't think any one will say that China comes badly out of the year's trial, and, as for the work that re-established peace, I, looking at it critically, as if it were another man's performance, pronounce it as good a bit of work as it has been successful! Thank Heaven it is over now!"

### *Section 50. England and Burma*

Reference was made in Section 45, in connection with the death of Mr. Margary, to Burma. This country, like Annam, had long been considered by China to be a vassal state. The year after the settlement of the Annam question the position of England in Burma was discussed. The settlement provides a pleasing contrast to the bungled and complex arrangements involved in the Tonkin affair.

Lower Burma had, in 1862, been annexed to British India. Upper Burma was not annexed, although it was understood to be within the British "sphere of influence." The expanding activities of the French brought about a state of affairs in which it seemed best to the British government to annex definitely Upper Burma to British India. Accordingly, a convention was peaceably arranged and signed at Peking on July 24, 1886. The opening of Tibet was left in abeyance, and the "tribute missions" of former times were permitted by England to proceed to Peking. It may be mentioned that only one such mission went to Peking after this time. The position of England in Burma was recognized by China.

**289. Convention relating to Burma and Tibet**

Whereas Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, being sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires, and to promote and extend the commercial intercourse between their subjects and dominions, the following Convention has been agreed upon and concluded :—

On the part of Great Britain by Nicholas Roderick O'Conor . . . duly empowered thereunto;

And on the part of China by his Highness Prince Ch'ing . . . and his Excellency Sun. . . .

ARTICLE I.

Inasmuch as it has been the practice of Burmah to send decennial Missions to present articles of local produce,

England agrees that the highest authority in Burmah shall send the customary decennial Missions, the members of the Missions to be of Burmese race.

ARTICLE II.

China agrees that, in all matters whatsoever appertaining to the authority and rule which England is now exercising in Burmah, England shall be free to do whatever she deems fit and proper.

ARTICLE III.

The frontier between Burmah and China to be marked by a Delimitation Commission, and the conditions of frontier trade to be settled by a Frontier Trade Convention, both countries agreeing to protect and encourage trade between China and Burmah.

ARTICLE IV.

Inasmuch as inquiry into the circumstances by the Chinese Government has shown the existence of many obstacles to the Mission to Thibet provided for in the Separate Article of the Chefoo Agreement, England consents to countermand the Mission forthwith.

With regard to the desire of the British Government to consider arrangements for frontier trade between India and Thibet, it will be the duty of the Chinese Government, after careful inquiry into the circumstances, to adopt measures to exhort and encourage the people with a view to the promotion and development of trade. Should it be practicable, the Chinese Government shall then proceed carefully to consider Trade Regulations; but, if insuperable obstacles should be found to exist, the British Government will not press the matter unduly.

ARTICLE V.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same and affixed thereunto the seals of their arms.

Done in triplicate at Peking this twenty-fourth day of July, in the year of our Lord one thousand eight hundred and eighty-six, corresponding with the Chinese date the twenty-third day of the sixth moon of the twelfth year of Kuang Hsü.

(L.S.) NICHOLAS RODERICK O'CONOR.
(Monogram) (L.S.) CH'ING.
(Monogram) (L.S.) SUN YÜ-WEN.

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** *British Blue-Books:* China No. 1 (1874), China No. 1 (1876), etc.; J. O. P. Bland, *Li Hung-chang* (New York, 1917); W. F. Mayers, *Treaties;* Sir R. K. Douglas, *Europe and the Far East* (Camb. Univ. Press, 1913); A. R. Colquhon, *Across Chryse* (London, 1883); J. Anderson, *Mandalay to Momein:* A narrative of the two expeditions to western China of 1868 and 1875 under Colonel Edward B. Sladen and Colonel Horace Browne (London, 1876); A. Bowers, *Bhamo Expeditions* (Rangoon, 1869); A. Cunningham, *The French in Tonkin and South China* (London, 1902); Vladimir, *Russia on the Pacific and the Siberian Railway* (London, 1899); A. Michie, *The Englishman in China,* Vol. II; W. W. Rockhill, *Diplomatic Missions to the Court of China* (Amer. Hist. Review, Vol. III); *China Review,* Vol. III; R. S. Gundry, *China: Past and Present;* H. B. Morse, *International Relations,* Vol. I, Chap. XIX, Vol. II, Chaps. XIII–XIX.

# CHAPTER XII

## CHINA'S RELATIONS WITH JAPAN—1871–1895

### *Section 51. The First China-Japan Treaty*

The importance of the relations of China and Japan during the past half century can scarcely be overestimated. Japan's relations with the West in the modern period began a quarter of a century later than those of China with the West. For another twenty-five years, Japan was too much engaged with internal development to to pay close and obvious attention to China. Her distinguished assiduity, however, soon made up for her tardiness.

Of course, the relations of the two countries far antedate the modern period. The raids of Japanese pirates upon the coasts of China during the Ming period were a source of much discomfort to both central and local governments. These attacks were frankly against all law; China looked upon Japan somewhat in the light of a vassal, and certainly as an inferior, state. The relations of China andJapan in the modern age have been marked by certain of the characteristics of the earlier period with the exception that the modern relations have apparently followed the rules of international law. The first treaty between China and Japan was signed on September 13, 1871.

290. Excerpts from the Treaty of Tientsin, September 13, 1871

ARTICLE III.

The system of government and the penal enactments of the two Governments being different from each other each

shall be allowed to act in entire independence. There shall be no interference offered, nor shall requests for innovations be obtruded. Each shall aid the other in enforcement of the laws, nor shall either allow its subjects to entice the people of the other country to commit acts in violation of the laws.

ARTICLE IV.

It will be competent for either Government to send Plenipotentiary Ministers, with their families and suites, to reside in the capital of the other, either permanently or from time to time. . . . In the matter of their hiring ground or buildings to serve as Legations . . . due assistance shall be rendered on either side.

ARTICLE V.

. . . Officers of equivalent rank will meet and correspond with each other on a footing of equality. . . . For the transaction of public business, the officials of the two countries will address communications to officers of their own rank, who will report in turn to their respective superiors; they will not address the superior officer directly. . . .

ARTICLE VIII.

At the ports appointed in the territory of either Government it will be competent for the other to station Consuls for the control of its own merchant community. All suits in which they (the Consul's nationals) are the only parties, the matter in dispute being money or property, it will fall to the Consul to adjudicate according to the law of his own State. In mixed suits, the plaint having been laid before the Consul, he will endeavour in the first instance to prevent litigation by friendly counsel; if this be not possible, he will write officially to the local authority, and in concert with him will fairly try the case and decide it. . . .

ARTICLE IX.

At any of the ports appointed at which no Consul shall have been stationed, the control and care of the traders resorting thither shall devolve on the local authorities. . . .

ARTICLE XIII.

If any subject of either Power connect himself at any of the open ports with lawless offenders for purposes of robbery or other wrongdoing, or if any work his way into the interior and commit acts of incendiarism, murder, or robbery, active measures for his apprehension shall be taken by the proper authority, and notice shall at the same time be given without delay to the Consul of the offender's nationality. . . .

When arrested and brought up for trial, the offender, if at a port, shall be tried by the local authority and the Consul together; in the interior, he shall be tried and dealt with by the local authority, who will officially communicate the facts of the case to the Consul.

If subjects of either Power shall assemble to the number of ten or more to foment disorder and commit excesses in the dominions of the other, or shall induce subjects of the other therein to conspire with them for the doing of injury to the other Power, the authorities of the latter shall be free at once to arrest them. If at a port, their Consul shall be informed, in order that he may take part in their trial; if in the interior, the local authority shall duly try them, and shall officially communicate particulars to the Consul. In either case capital punishment shall be inflicted at the scene of the commission of the offence.

The treaty was signed at Tientsin by Li Hung-chang on the part of China, and Date Muneki, Minister of Finance for Japan. Accompanying the treaty itself was a set of trade regulations. The Treaty of Tientsin practically accepted Japan as an equal of China. The trade regulations were in most ways similar to those in force with Western powers. There was, however, no "most-favored-nation" clause, nor was extraterritoriality fully granted. In neither country might nationals of the other penetrate into the interior for purposes of trade. The rules in reference to these questions are given below.

ARTICLE I.

**291. Excerpts from Trade Regulations, 1871**

Whereas it has been laid down in the Treaty that certain ports on the seaboard of the two countries shall be appointed . . . it is declared that these ports shall be as follows:—

Ports designated by China for commercial intercourse: Shanghai . . Chinkiang . . Ningpo . . Kiukiang . . Hankow Tientsin . . Newchwang . . Chefoo . . Canton . . Swatow Kiungchow . . Foochow . . Amoy . . Taiwan . . Tamsui.

Ports designated by Japan for commercial intercourse: Yokohama . . Hakodate . . Osaka . . Hiogo . . Niigata Ebisuminato . . Nagasaki . . Tsukiji.

ARTICLE II.

Officials and merchants of both countries may rent land at the open ports, according to the local custom of each place. . . . There shall be no clandestine or forcible renting. In the interior, and at the ports not open for trade, there shall be no renting of land nor building of houses. At the open ports, land may be rented for the subsequent erection of houses either for residence or business; the local officers shall arrange for convenient sites. . . .

ARTICLE XIV.

Chinese imports into Japan, after payment of duty at the Customs, may not be taken into the interior of Japan by Chinese; and Japanese imports into China, on payment of duty, may be taken for sale into various parts of the interior by Chinese only. Such imports shall be subject to duties and likin at the various inland Custom Houses and barriers *en route*. Japanese are not allowed to carry goods into the interior of China, on penalty of confiscation of the goods, and, furthermore, the offender shall be delivered over to his Consul for punishment.

ARTICLE XV.

Merchants of either of the two countries in the territory of the other may purchase at the open ports Native products and the goods of other countries, and, on payment of duty, may export the same; but they are not permitted to go into the interior to buy goods. The penalty for breaking this stipulation shall be the confiscation of all the goods concerned and the surrender of the offending merchant to his Consul for punishment. This and the preceding Article are enacted because each State has designated certain ports as open, to which commercial intercourse is to be restricted.

## *Section 52. The Formosan Difficulty, 1871–1874*

Attention was called in the discussion of the audience question to the fact that at that time the Japanese imperial government had appointed an ambassador who, on account of his position, was received first and alone. Probably the main reason for the appointment of the Japanese Minister for Foreign Affairs, Soyesima, was for

the settlement of a dispute involving the Liuchiu Islands and Formosa. The former were claimed by Japan, and when some natives of those islands were killed by natives of Formosa after being shipwrecked on the coast of that island Japan demanded redress from China. The question was left unsettled from the end of 1871 to October 31, 1874. There seemed every probability of war during the year 1874; the Japanese warriors were anxious to use their arms, but the government was not certain of China's power. The British envoy at Peking was especially anxious that the affair should be amicably settled. In a dispatch to the Earl of Derby he summarizes the situation from May to November.

*Peking, November* 16, 1874.

292 Mr. Wade to the Earl of Derby: summary of peace negotiations

I had been careful to communicate to the Tsung-li Yamên whatever well-authenticated intelligence I received regarding either the Japanese expedition to Formosa or the attitude of the Japanese Government; but it was not until the end of July, on my announcing my intention to leave Peking on a visit to the ports, that certain Ministers of the Tsung-li Yamên came to speak to me spontaneously of the Formosan affair. Their object, apparently, was to sound me touching the views of foreign nations, and the possibility of their supplying themselves abroad with ships and munitions of war. . . .

Views of foreign nations

I was obliged to repeat that, whatever the merits of the case, the sympathies of foreigners could not be strongly with China until the Treaties were better observed, and that the progressist tendency manifest in Japan, again by its contrast with the reactionary spirit of the Chinese, assuredly put the latter at a disadvantage in foreign opinion. . . . The Conference bore no immediate fruit.

Somewhat later, however, I had occasion to draw the attention of the Ministers to the unguarded language of certain official documents relating to the Japanese question. As the Chinese certainly did not desire war with Japan, nothing could be less wise, of course, than to speak and write in a fashion that was not unlikely to produce irritation.

This brought us nearer together again, and after a long conversation, in which, as I understood them, the Chinese

ministers again expressed a desire to invite foreign representatives to unite in arbitration on the 12th of August, I laid before them a Memorandum on that subject.

Actions of the Japanese

The news from Japan had become much more warlike. There had been reported a collision in Formosa. The Japanese General and the Chinese Commissioner had been discussing an indemnity, as far as I could learn, to no purpose. The Minister Yanagiwara had left Shanghae for Peking, as the Chinese affirmed, in the middle of a correspondence with the Chinese Commissioner. Great preparations for war were known to be making in Japan. The Chinese were on their side arming for resistance. I became convinced that war was imminent, and believing that if such a blow as I apprehended were struck, the consequence would be most serious to all foreign interests, merchant or missionary, I suggested to the Yamên that foreign Powers should be at once appealed to, to neutralize for a given time the coasts and rivers of China. . . .

Mr. Wade's questions

After some further discussions, I wrote, on the 28th September, a note to the Prince of Kung, in which, after accounting for my advice, past and present, I put five questions, designed to ascertain, first, Whether the Chinese really desired arbitration at all? If so, what point would be submitted to the arbitrators? Whether there was ground for believing that the Japanese would agree to arbitration? Whether the Chinese Government would make any overtures, and, if so, what, to the Japanese? What course, if a rupture ensued, the Chinese Government would follow?

In a short but courteous reply, of which I enclose translation, the Prince informed me that the Ministers would call at the Legation for explanations. This they did, but my questions remained, in effect, without answer.

. . . I learned that on the 10th October, the High Commissioner Okubo had written to the Yamên to say that, unless it were closed in five days, he should leave Peking. The Prince of Kung being absent, he subsequently extended this term. . . . It was not until the 16th October that the High Commissioner, when calling on me, entered, for the first time, into a detailed exposition of the claims of Japan. . . .

Japan's questions

He had put two questions which, as I have before stated, were, in effect, as follows:—Why has China not done her part in the education of her subjects? Why, when, for want of education, they have committed crime, has China not punished her subjects? If China, argued the Commissioner, claims these savages as her subjects, she accepts the obligation of affording Japan the satisfaction which Japan has sent an expedition to exact of these people.

I inferred from this conversation that the High Commissioner was not inexorably set upon war. There was the

less reason that he should be, as one of the declared objects of the expedition had been accomplished by the infliction of a severe chastisement upon the peccant tribes. A money payment had, in fact, been for some time matter of negotiation, but indirectly, and I had no official knowledge of it.

The money question

Briefly, the Chinese having shown some disposition to pay money (not as war expenses but as compensation to the families of the persons murdered by the Formosan savages), still, according to the Commissioner, declined to specify the amount. He asked for some 3,000,000 dollars, and this being refused, and a guarantee for any payment being pronounced impossible, he prepared to leave Peking.

The Minister Yanagiwara, on the ground that the postponement of his reception by the Emperor of China was proof of unfriendly feeling towards Japan, was to accompany his colleague.

The Commissioner himself called to take leave of me on Saturday the 24th of October. . . . Having heard the Commissioner's statement, I went immediately to the house of the Grand Secretary Pao, and urged him to move the Prince of Kung to say at once what money China would pay (the Commissioner, be it observed, did not insist upon describing the payment as for war expenses); also, in what way the payment should be guaranteed. Failing any other means, if the High Commissioner would consent, I would myself guarantee the payment promised.

On the following day, I was authorized to offer the Commissioner 500,000 taels, a fifth as a compensation to the families of the murdered Loochooans; the remainder not as war-indemnity, but to meet the miscellaneous minor expenses (eventually specified) which the expedition had occasioned Japan.

The Commissioner, I was relieved to find, agreed to put off his departure, and, with myself as intermediary, he resumed negotiations with the Yamên.

Need for tact

The difficulties in our way were, first, in form, as to the wording of an agreement in such wise as not to make it appear that the act of either Power, China or Japan, was dependent on the bidding of the other; and next, in substance, as to the dates of the essential acts, the evacuation of Formosa by Japan, and the payment of money by China,—and the guarantees for the performance of these acts.

At last, after six days' debate, the agreement and guarantee . . . were signed by the High Commissioner Okubo and the Minister Yanagiwara at the Yamên. . . .

Owing to the intervention twice of Mr. Wade the two countries came to an agreement, which was signed

on October 31, 1874. This was contained in the following documents:

293. Settlement of the question, October 31, 1874

*Instrument recording the several Propositions considered by the two Contracting Parties, and the action which both agree shall be taken thereon.*

Whereas, the subjects of every Government are entitled to its protection against injury, an obligation rests upon every Government to adopt measures by which their safety shall be provided for, and should any trouble have come upon (the subjects of) any particular Government, it is incumbent upon that Government to institute inquiry and take action.

Certain Japanese subjects having been wantonly murdered by the unreclaimed savages of Formosa, theGovernment of Japan regarding these savages as responsible despatched a force against them to exact satisfaction. An understanding has now been come to with the Government of China that this force shall be withdrawn, and certain farther steps taken; all which is set forth in the three Articles following:

Article I. The present proceedings having been undertaken by the Government of Japan for the humane object of affording security to its own subjects, the Government of China will not therefor impute blame to it.

Article II. The Government of China will give a certain sum to compensate the families of the ship-wrecked Japanese who were murdered (on Formosa). The roads made and buildings erected by the Japanese on the ground, the Government of China is prepared to retain for its own use, and it agrees to make a farther payment on this account. The details of the engagements on these points will be elsewhere stated.

Article III. All correspondence that this question has occasioned between the two Governments shall be cancelled, and the discussion dropped for evermore. It will be the duty of the Chinese Government to take such steps for the due control of the savage tribes in the regions referred to as will for ever secure the navigation (along their coasts) against any farther atrocities on their part.

*Guarantee or Engagement referred to in the foregoing Instrument.*

Paper attesting an engagement entered into.

In the matter of the savages of Formosa, reference being had to an understanding arrived at with the two Governments (of China and Japan) by the British Minister, Mr. Wade, and to the instrument this day signed, recording the action

to be taken respectively by the two parties thereto, the Chinese Government will at once give the sum of 100,000 taels to compensate the families of the shipwrecked Japanese who were killed. In addition to this, the Chinese Government will not fail to pay a farther sum of 400,000 taels on account of the expenses occasioned by the construction of roads and erection of buildings which, when the Japanese troops are withdrawn, the Chinese Government will retain for its own use. It is farther agreed that on (or by) the 20th day of the 12th month of the 7th year of the reign Ming Chih (Japanese style) and on the 12th day of the 11th month of the 13th year of the reign Kung Chih (Chinese style*), the Government of Japan shall withdraw the whole of its troops, and the Government of China shall pay the whole of the money, neither party being behind the time now fixed. The payment of the sum guaranteed will not be completed by the Chinese Government so long as any part of the troops of the Government of Japan be not withdrawn.

This instrument is drawn up in guarantee of the agreement. (It is in two parts whereof) each party to it retains one.

There is no keener observer of events and conditions in China than Mr. J. O. P. Bland, sometime secretary to Sir Robert Hart, and author of several valuable works on the Far East. In his *Li Hung-chang*, Mr. Bland in discussing Li as a diplomat gives a very incisive commentary on the attitude of that statesman toward Japan dating from the period under consideration.

294. Observations on the diplomacy involved

At an early period of his diplomatic career Li had occasion to realise that his relations with the envoys of Japan must be conducted on principles very different from those which served him in dealing with the European Powers. His unerring instinct in politics taught him, even before 1874, the vital difference between the military adventures of England and France and the racial and economic forces which underlie and determine the inevitable expansion of Japan. It was in 1874 that China first had serious cause to realise the nascent power and ambitions of Dai Nippon; in that year Li Hung-chang thought it prudent and possible to conceal from the world China's defenceless condition by the expedient of buying off the Japanese forces which had invaded

*December 20, 1874.

Formosa on the flimsiest of pretexts. In that same year also he discovered that the devices of evasion and circumlocution which usually served his purposes in dealing with Europeans were useless when applied to the Japanese, themselves pastmasters in the arts and crafts of Oriental diplomacy. The Japanese Commissioner, Soyeshima, entrusted by his Government with the settlement of the Formosa question, gently but firmly declined to discuss matters with Li, and insisted on transacting his business with the Central Government direct. The Embassy which subsequently reached Peking did not even trouble to call on the Viceroy at Tientsin. Li's first experiences with the Japanese were sufficiently humiliating to increase his instinctive dislike and fear of them; sufficient to account for his ceaseless efforts of later years to intimidate them by the advertisement of imposing forces, and to check them by conceding to other Powers vested interests in the regions chiefly menaced by Japanese ambition.

Danger from the East

Throughout every phase of his diplomatic career we find evidence of his recognition of the fact that the danger which threatened from the East was more formidable than from the West, because the interests and ambitions of the European Powers were not centred, like those of Japan, on territorial expansion at China's expense.

Not the least valuable judgment of the solution of China's early difficulty with her eastern neighbor is that of Mr. Michie.

295. The significance of the question and its settlement

Within six years of the revolution of 1868 an expedition was sent to invade the Chinese island of Formosa. Through the good offices of Sir Thomas Wade, British Minister in Peking, war between the two empires was averted, and the Japanese forces withdrawn. They were virtually bought off, a proceeding characterised by Sir H. Parkes as pusillanimous on the part of the empire of China. The transaction really sealed the fate of China, in advertising to the world that here was a rich empire which was ready to pay, but not ready to fight. The euphemisms under which the ransom was disguised deceived no one unless it were the Chinese themselves. The vast cessions to Russia, incredible as they appeared, had at least the palliation of a dire emergency, and verbal equivalents in the shape of promises of deliverance therefrom. The submission to Japan, on the other hand, was made in a time of comparative ease.

The incident had yet a further significance. The pretext of the Japanese invasion was injuries done to shipwrecked

Liuchiuans, a people whom China till then and for some years later considered her own vassals, and who had for centuries paid her regular tribute. Such an episode was therefore a sure mark of imperial decadence;—a definite step, moreover, in the downward process, to be followed not long after by the Japanese boldly asserting a claim to the Liuchiu Islands, against which China could only interpose an inarticulate protest. The meaning of these indications was not likely to be lost either on the Japanese, who were more immediately concerned, or on other less interested onlookers. And what has the subsequent history of China been but a development of the symptoms?

### *Section 53. Korea, China, and Japan*

The next important contact of China and Japan resulted from the relations of the two countries with a third: Korea. The former looked upon Korea as a vassal. The latter in 1876, as a first step toward undermining China's position in Korea, negotiated a treaty with that country recognizing its independence and opening some of its ports to trade. Before going into the struggle which followed the attempts of both countries to strengthen their positions in Korea, it seems best to present a background consideration of the relations of the three nations.

296. The background of the relations

There is a peculiar pathos in the extinction of a nation. Especially is this true when the nation is one whose history stretches back into the dim centuries until it becomes lost in a labyrinth of myth and legend; a nation which has played an important part in the moulding of other nations and which is filled with monuments of past achievements. Kija, the founder of Korean civilization, flourished before the reign of David in Jerusalem. In the fifth century after Christ, Korea enjoyed a high degree of civilization, and was the repository from which the half-savage tribes of Japan drew their first impetus towards culture. As time went on Japan was so fortunate as to become split up into numerous semi-independent baronies, each under the control of a so-called Daimyo or feudal baron. This resulted, as feudalism everywhere has done, in the development of an intense personal loyalty to an overlord, which is impossible in a large state.

Antiquity of Korean civilization

The feudal idea

If one were to examine the condition of European states to-day, he would find that they are enlightened just in proportion as the feudal idea was worked out to its ultimate issues, and wherever, as in southern Europe, the centrifugal power of feudalism was checked by the centripal power of ecclesiasticism one finds a lower grade of enlightenment, education and genuine liberty. In other words, the feudal system is a chrysalis state from which a people are prepared to leap into the full light of free self-government. Neither China nor Korea has enjoyed that state, and it is therefore manifestly impossible for them to effect any such startling change as that which transformed Japan in a single decade from a cruel and bigoted exclusiveness to an open and enthusiastic world life. Instead of bursting forth full-winged from a cocoon, both China and Korea must be incubated like an egg.

It is worth while asking whether the ultimate results of a slow and laborious process like this may not in the end bring forth a product superior in essential respects to that which follows the almost magical rise of modern Japan; or, to carry out the metaphor, whether the product of an egg is not likely to be of greater value than that of a cocoon. In order to a clear understanding of the situation it will be necessary to follow out this question to a definite answer. The world has been held entranced by the splendid military and naval achievements of Japan, and it is only natural that her signal capacity in war should have argued a like capacity along all lines. This has led to various forms of exaggeration, and it becomes the American citizen to ask the question just what part Japan is likely to play in the development of the Far East. One must study the factors of the problem in a judicial spirit if he would arrive at the correct answer. The bearing which this has upon Korea will appear in due course.

Japan's signal advance

and her future in Asia

When in 1868 the power of the Mikado or Emperor of Japan had been vindicated in a sanguinary war against many of the feudal barons, the Shogunate was done away with once for all, and the act of centralising the government of Japan was complete. But in order to guard against insurrection it was deemed wise to compel all the barons to take up their residence in Toyko, where they could be watched. This necessitated the disbanding of the samurai or retainers of the barons. These samurai were at once the soldiers and the scholars of Japan. In one hand they held the sword and in the other a book; not as in medieval Europe, where the knights could but rarely read and write and where literature was almost wholly confined to the monasteries. This concentration of physical and intellectual power in the single class called samurai gave them far greater prestige among

The samurai

the people at large than was ever enjoyed by any set of men in any other land, and it consequently caused a wider gulf between the upper and lower classes than elsewhere, for the samurai shared with no one the fear and the admiration of the common people. The lower classes cringed before them as they passed, and a samurai could wantonly kill a man of low degree almost without fear of consequences.

When the barons were called up to Tokyo, the samurai were disbanded and were forbidden to wear the two swords which had always been their badge of office. This brought them face to face with the danger of falling to the ranks of the lower people, a fate that was all the more terrible because of the absurd height to which in their pride they had elevated themselves.

Farsightedness of the samurai

At this precise juncture they were given a glimpse of the West, with its higher civilisation and its more carefully articulated system of political and social life. With the very genius of despair they grasped the fact that if Japan should adopt the system of the West all government positions, whether diplomatic, consular, constabulary, financial, educational or judicial, whether military or civil, would naturally fall to them, and thus *they would be saved from falling to the plane of the common people.* Here, stripped of all its glamour of romance, is the vital underlying cause of Japan's wonderful metamorphosis. With a very few significant exceptions it was a purely selfish movement, conceived in the interest of caste distinction and propagated in anything but an altruistic spirit. The central government gladly seconded this proposition, for it immediately obviated the danger of constant disaffection and rebellion and welded the state together as nothing else could have done. The personal fealty which the samurai had reposed in his overlord was transferred, almost intact, to the central government, and to-day constitutes a species of national pride which, in the absence of the finer quality constitutes the Japanese form of patriotism.

Class distinctions in Japan

From that day to this wide distinction between the upper and lower classes in Japan has been maintained. In spite of the fact of so-called popular or representative government, there can be no doubt that class distinctions are more vitally active in Japan than in China, and there is a wider social gap between them than anywhere else in the Far East, with the exception of India, where Brahmanism has accentuated caste. The reason for this lies deep in the Japanese character. When he adopted Western methods, it was in a purely utilitarian spirit. He gave no thought to the principles on which our civilization is based. It was the finished product he was after and not the process. He judged, and rightly, that energy and determination were sufficient to the donning

of the habiliments of the West, and he paid no attention to the forces by which those habiliments were shaped and fitted. The position of woman has experienced no change at all commensurate with Japan's material transformation. Religion in the broadest sense is less in evidence than before the change, for, although the intellectual stimulus of the West has freed the upper classes from the inanities of the Buddhist cult, comparatively few of them have consented to accept the substitute. Christianity has made smaller advances in Japan than in Korea herself, and everything goes to prove that Japan, instead of digging until she struck the spring of Western culture, merely built a cistern in which she stored up some of its more obvious and tangible results. This is shown in the impatience with which many of the best Japanese regard the present failure to amalgamate the borrowed product with the real underlying genius of Japanese life. It is one constant and growing incongruity. And, indeed, if we look at it rationally, would it not be a doubtful compliment to Western culture if a nation like Japan could absorb its intrinsic worth and enjoy its essential quality without passing through the long-centuried struggle through which we ourselves have attained to it? No more can we enter into the subtleties of an Oriental cult by a quick though intense study of its tenets. The self-conscious babblings of a Madam Blavatsky can be no less ludicrous to an Oriental Pundit than are the efforts of Japan to vindicate her claim to Western culture without passing through the furnace which made that culture sterling.

Christian missions in Japan

The highest praise must be accorded to the earnestness and devotion of Christian missionaries in Japan, but it is a fact deeply to be regretted that the results of their work are so closely confined to the upper classes. This fact throws light upon the statement that there is a great gap between the upper and lower classes there. Even as we are writing,* word comes from a keenly observant traveller in Japan that everywhere the Buddhist temples are undergoing repairs.

It is difficult to foresee what the resultant civilisation of Japan will be. There is nothing final as yet, nor have the conflicting forces indicated along what definite lines the intense nationalism of the Japanese will develop.

Characteristics of China and Korea

But let us look at the other side of the picture. Here is China, and with her Korea, for they are essentially one in general temper. They cling with intense loyalty to the past. They are thoroughly conservative. Now how will you explain it? Some would say that it is pure obstinacy, a wilful blindness, an intellectual coma, a moral obsession. This is the

* 1906.

easiest, and superficially the most logical, explanation. It saves time and trouble; and after all, what does it matter? It matters much every way. It does not become us to push the momentous question aside because those people are contemptible. Four hundred millions are saved from contempt by their very numbers. There is an explanation, and a rational one.

Their social system

One must not forget that these people are possessed of a social system that has been worked out through long centuries, and to such fine issues that every individual has his set place and value. The system is comprehensive, consistent and homogeneous. It differs widely from ours, but has sufficed to hold those peoples together and give them a national life of wonderful tenacity. There must be something in the system fundamentally good, or else it would not have held together for all these centuries with comparatively so little modification.

We have seen how the Japanese were shaken out of their long cultured sleep by a happy combination of circumstances. There are doubtless possible combinations which might similarly affect China and Korea, but the difference in temperament between them and the Japanese renders it highly improbable that we shall ever see anything so spectacular as that which occurred in Japan. No two cults were ever more dissimilar than Confucianism and Buddhism; and if we were to condense into a single sentence the reason why China and Korea can never follow Japan's example it would be this: that the Chinese and Korean temperament followed the materialistic bent of Confucianism, while the Japanese followed the idealistic bent of Buddhism.

What shall be the relations of East and West?

Now, what if the West, instead of merely lending its superficial integuments to China and Korea, should leave all the harmless and inconsequential customs of those lands intact, and should attempt instead to reach down to some underlying moral and fundamental principle and begin a transformation from within, working outward; if, instead of carrying on campaigns against pinched feet and infanticide, we should strike straight at the root of the matter, and by giving them the secret of Western culture make it possible for them to evolve a new civilisation embodying all the culture of the West, but expressed in terms of Oriental life and habit? Here would be an achievement to be proud of, for it would prove that our culture *is* fundamental, and that it does not depend for its vindication upon the mere vestments of Western life.

And herein lies the pathos of Korea's position; for, lying as she does in the grip of Japan, she cannot gain from that power more than that power is capable of giving—nothing

more than the garments of the West. She may learn science and industrial arts, but she will use them only as a parrot uses human speech. There are American gentlemen in Korea who could lead you to country villages in that land where the fetich shrines have been swept away, where schools and churches have been built, and where the transforming power of Christianity has done a fundamental work without touching a single one of the time-honoured customs of the land; where the hard-handed farmers have begun in the only genuine way to develop the culture of the West. That culture evinces itself in its ultimate forms of honesty, sympathy, unselfishness, and not in its use of a swallow-tail coat and a silk hat. Which, think you, is the proper way to go about the rehabilitation of the East? The only yellow peril possible lies in the arming of the Orient with the thunder-bolts of the West, without at the same time giving her the moral forces which will restrain her in their use.

The accompanying interesting comparison of Japan and Korea was published in 1882 by Professor William Elliot Griffis. Written before the relations of the two countries had become of the significance that was later attached to them and by an admirer of both lands, the discussion is unbiased and stimulating.

**297. The weakness of Korea**

The Corean social and political system, sufficiently weak in hermit days, has shown itself unable to withstand the repeated shock of attack by eager and covetous foreigners, nor will it ever be able, even in a measure, to defend itself against the fierce and unrelenting greed of the strong nations intrenched upon its soil, except by complete reorganization. Both the outward forms and the inward spirit must change if the Coreans are to preserve their national identity. The nation has been the bone of contention between jealous and greedy rivals One foreign government by crafty diplomacy secures the right of cutting timber valued at millions of dollars, another gets mining concessions, others propose this or that industry or supposed line of production which depleted the treasury. The impoverished kingdom has not only wasted many millions of dollars of treasure in foolish enterprises, but is deprived of its natural assets in timber, metals, fisheries and industries.

The problem of bringing Corea into harmony with her modern environment is only in some features like that of

Japan, for there have been wanting in the peninsula what was so effective in Japan's case. In the island empire, the long previous preparation by means of the infiltration of Western ideas during two centuries of communication with Europe through the Dutch merchants, the researches of her own scholars furnishing inspiration from their national history, the exercise during many generations of true patriotism and self-sacrifice for the public good prepared the island nation to cope with new conditions and situations. In the clash with the West, Japan came out victor. Corea has no *samurai*. She lacks what Japan has always had—a cultured body of men, superbly trained in both mind and body, the soldier and scholar in one, who held to a high ideal of loyalty, patriotism, and sacrifice for country. The island samurai enjoying the same prerogative and privilege as the Corean yangban (civil and military) not only abolished feudalism, but after giving up their hereditary pensions and privileges, joined the productive classes, while at the same time the Japanese merchants and mechanics were raised in the social scale, the pariahs given citizenship, and then all lines of promotion opened to all in the army, navy, schools, courts, and civil service. The fertilizing streams of foreign commerce, the inspiration that comes from brotherhood with other nations, and above all, the power brought to Nippon through the noble labors and object lessons of the Christian missionaries, enabled the Japanese to take equal place in the world with the nations of the West. Corea, on the contrary, by still allowing the existence of predatory classes, nobles, officials, and great landowners—by denying her people education, by being given to superstition from palace to hut and from sovereign to serf, remains still in weakness and poverty. What Corea above all needs, is that the lazy yangban cut their long finger-nails and get to work.

The pressing of Russia to the Asiatic seaboard has been noted in that country's dealings with China in the peace negotiations of 1860. It is not to be wondered at that Japan was suspicious of the designs of Russia in the Far East. In studying the history of Korea from 1876 down to 1905 the position of Russia and her suspected designs on China and Korea must be borne in mind.

**298. Russia, China, and Japan in Korea**

When, in 1875, the Japanese were forced to cede the southern portion of Saghalien to the Russians, the aggressive inten-

tions of the latter became only too apparent; and the fears of the Japanese were aroused. Under existing conditions Japan had no right to intervene it the Russians obtained a cession of Korean territory from the Chinese. It was thus necessary for her to establish such a right. Thereupon ensued a prolonged diplomatic dispute between Japan and China as to which nation should exercise paramount influence in Korea. At one time Japanese influence was in the ascendant; at another that of China. In 1885 the relations between China and Japan were seriously strained; and Russia endeavored to utilize the opportunity and obtain a lease of Port Lazarev in Korea. At the same time, in order to distract the attention of great Britain, Russia encroached on the Afghan frontier. For a time there was danger of war between Russia and Great Britain, and, in order to check Russia's designs in the Far East, Great Britain occupied Port Hamilton in the Korean Straits. Difficulties were, however, smoothed over, and Great Britain again evacuated Port Hamilton.

Russia's "pressing' policy

It had become evident to the Russians that, if they were to obtain full value from their position in the Far East, they must improve their communications through Siberia; and in 1891, the construction of the great Siberian railway to Vladivostok was commenced. But six thousand miles of railway is a vast undertaking; and many years were to elapse before the task could be completed. . . .

The Siberian Railway

. . . Korea was, moreover, the natural area for the expansion of the Japanese race. It was in close proximity to Japan, it was a peninsula which, once conquered, could be held without much difficulty by a nation of islanders, armed and vigorous both on sea and land. There was but one solution to this problem—to wrest by force from Russia that which was essential to the continued existence of the Japanese nation.

Korea's position

Chinese officials who studied or were engaged in foreign affairs feared both Russia and Japan. The latter threatened Korea, the former Korea and the northern and western sections of China itself. Of the two it would seem that Japan was feared and disliked the more. Three years after Japan's treaty with Korea, Li Hung-chang wrote, on October 23, 1879, to a high Korean official a letter which explains the policy of both Korea and China during the next seven years. The letter was

not intended for publication, and is correspondingly valuable. The advice given was followed implicitly: between May 22, 1882, and June 4, 1886, treaties were signed by Korea with America, England, Germany, Italy, Russia, and France. All the European countries evaded a solution of the problem of Korea's vassalage to China or complete independence by accrediting their ministers at Peking to the court of Seoul. But the United States, says Morse, "influenced by the waiving of responsibility at Peking, followed Japan in commissioning to Korea a minister plenipotentiary independent of the legations at Peking and Tokyo, a procedure which was highly gratifying to Japan."

299. Li Hung-chang's advice to Korea, 1879: conclude treaties

"You tell me of the relations of your Government with Japan. The Japanese are of a proud and overbearing nature; extremely ambitious and wily, they advance step by step, and I fully realise that your task is an extremely difficult one in view of the fact that your Government is compelled to grant their demands according to circumstances. When I met the Korean Envoy last year I had already read the letter in which you told me repeatedly that the Japanese had asked you to convey an expression of their desire to preserve good relations with us, and the hope that we should set our minds at rest, as they were perfectly frank and sincere.

"In my ignorance it seems to me that from olden times the relations between neighbouring States are easily explained: two countries, from having been at enmity, may come together in the bonds of a common interest. Where no such ground of mutual advantage exists, they soon cease to agree and become enemies. It is wise policy to conceal from the Japanese what we know concerning their lack of sincerity: we should be on our guard, avoid all subjects of dispute, and thus preserve friendly relations. For this reason I advised you in my last letter not to show your suspicions, since they would only afford pretexts against you. . . .

"All the political leaders of China are convinced that, in these matters, prevention is better than cure. You may say that the simplest way to avoid trouble would be to shut oneself in and be at peace. Alas, as far as the East is concerned, this is not possible. There is no human agency capable of putting a stop to the expansionist movement of Japan: has not your Government been compelled to inaugurate a

new era by making a Treaty of Commerce with them? As matters stand, therefore, is not our best course to neutralise one poison by another, to set one energy against another? You should seize every opportunity to establish treaty relations with Western nations, of which you would make use to check Japan.

Western international law

"There exists in the West a general rule that a nation may not seize the territory of another without good cause; but international law acts only as a protective force in the case of the Powers with common commercial interests. Last year Turkey was the victim of Russia's aggression; but at the moment when she was about to succumb, England called the other nations to consult together, whereupon Russia promptly called off her forces. If Turkey had persisted in isolation such as yours, she would have become the prey of Russia. Belgium and Denmark, two small States in Europe, have made treaties with all the Powers: therefore, no one dares to oppress or injure them. Have we not here an example of the best remedy of weakness against force? . . .

"The nations of the West have taken advantage of our misfortunes to impose their will upon us by force. The argument they used in the making of their treaties was armed men; thus, as you are aware, the execution of their treaties has become a source of continual difficulties. Now, if your Government were to take the initiative of its own free will and before they resort to violence, the Western Powers would be so surprised that they could hardly be exacting. By this method of procedure your country would be able to maintain, without affording them pretext for protest, its prohibition against the sale of opium, the preaching of the Christian religion, and other corrupting influences. . . . Since you are aware of the strength of your adversaries, use all possible means to divide them; go warily, use cunning—thus will you prove yourselves good strategists.

As was the case in both China and Japan in the early days of opening the country to foreign intercourse, there was a strong party of ultra-conservatives at the court of Seoul. The quarrels between the court parties were largely responsible for the ultimate fall of the kingdom and its loss of independence. The signing of the first Western treaty stirred the reactionaries, led by the father of the king, who was known as the Tai-wen-kün, to revolt in July. During the riots the Japanese legation

was burned and Mr. Hanabusa, the Japanese Minister to Seoul, had to escape to an English vessel at Chemulpo. A telegram, of October 2, to the New York *Tribune*, summarizes the news of the settlement of the affair. In justice to Japan it may be mentioned that she remitted four fifths of the indemnity in 1884. The Tai-wen-kün was kept a prisoner in Paotingfu for three years.

300. Affairs in 1882.

The Corean Government pledged itself to the following conditions: To arrest the insurgents within twenty days and inflict due punishment upon them, Japanese delegates to be present at the trial; to bury properly the bodies of those murdered and pay 50,000 yen (dollars) to their families; to pay Japan 500,000 yen as indemnity for expenditure, etc., in five yearly instalments; to allow Japanese troops in Seoul for the protection of the legation, and to provide proper accommodations for them; to send an apology by a special embassy to Japan; to extend gradually privileges to the Japanese residents and traders to afford proper conveniences for travel throughout Corea for the Japanese Government officials.

While this was going on the Chinese envoy, who had remained inactive with his escort until August 25th, suddenly called up the full body of his troops, about three or four thousand, to the capital. What degree of pressure he may have exercised is not yet known, but it is certain that the chief rebel and assassin, the Tai-wen Kun, was taken on board a Chinese ship and carried to Tien-tsin. It is alleged that his departure was by no means voluntary, and that some physical effort was required to get him ashore on arriving at his destination. Whatever was the object of this proceeding, it must have been dictated by Li Hung Chang, the Chinese Viceroy at Tien-tsin, who seems to have quite abandoned his demeanor of calm stolidity during these active Corean transactions. It is declared by one Chinese party that the only purpose was to rescue the Tai-wen Kun from the dangers that threatened him, and by another that the intent was still to maintain the theory of sovereign control over Corea's rulers, which Li Hung Chang has been straining for throughout.

During the recent prospect of trouble with Corea, the Japanese Government received offers of military service from twenty thousand volunteers, and of money gifts to the value of 200,000 yen.

In 1885, China was busily engaged in the quarrel with France over Tonkin. Here was Japan's oppor-

tunity. As in 1915 so in 1885, Japan was ready to use persuasion and diplomacy to get what she wanted. In March of that year, Count Ito traveled to Peking, and thence to Tientsin, where, on April 18, he succeeded in concluding a convention by which each country agreed not to send troops to Korea without notifying the other. The signing of the convention by Li Hung-chang was, under the circumstances, inevitable, but it meant the practical surrender on the part of China of her suzerainty over Korea.

**301. Li-Ito Convention of Tientsin, April 18, 1885**

Ito, Ambassador Extraordinary of the Great Empire of Japan . . . ;

Li, Special Plenipotentiary of the Great Empire of China . . . ;

In obedience to the decrees which each of them respectively is bound to obey, after conference held, have agreed upon a Convention with a view to preserving and promoting friendly relations (between the two Great Empires) the articles of which are set down in order as follows:—

It is hereby agreed that China shall withdraw her troops now stationed in Corea, and that Japan shall withdraw hers stationed therein for the protection of her Legation. The specific term for effecting the same shall be four months, commencing from the date of the signing and sealing of this Convention, within which term they shall respectively accomplish the withdrawal of the whole number of each of their troops, in order to avoid effectively any complications between the respective countries: the Chinese troops shall embark from Masan-po, and the Japanese from the port of Ninsen.

The said respective Powers mutually agree to invite the King of Corea to instruct and drill a sufficient armed force, that she may herself assure her public security, and to invite him to engage into his service an officer or officers from amongst those of a third Power, who shall be entrusted with the instruction of the said force. The respective Powers also bind themselves, each to the other, henceforth not to send any of their own officers to Corea for the purpose of giving said instruction.

In case any disturbance of a grave nature occurring in Corea which necessitates the respective countries, or either of them, to send troops to Corea, it is hereby understood that they shall give, each to the other, previous notice in writing

of their intention so to do, and that after the matter is settled they shall withdraw their troops and not further station them there.

### *Section 53. Events Leading up to the War with Japan*

The conditions following the signing away of China's suzerain rights in the Li-Ito Convention, as well as the consideration of the question of Li's personal attitude toward the question of war with Japan are interestingly set forth by Mr. Bland

302. Conditions after the Li-Ito Convention

For several years after the signing of the Li-Ito Treaty China clung desperately to the empty figment of her suzerainty in Korea. In 1890 Imperial Envoys from Peking were received by the Korean Court with pomp and circumstance and all the ancient ceremonial of vassaldom. These things were due to the incurable arrogance and conservatism of Peking officialdom and to the occasionally injudicious proceedings of Yuan Shih-k'ai (whose personal haughtiness increased as his influence became paramount at the Court of Seoul) rather than to any imprudent initiative on the part of Li Hung-chang. In any case, they served to irritate the Japanese Government and to increase its desire and preparations for a final reckoning. The materials for producing a crisis rapidly increased, in the form of Japanese immigrants and colonists by the thousand, each one of whom could be relied upon to provide protests from, or grievances against, the Korean authorities. The road to conquest was being steadily paved by means of economic penetration, and, in the process, the unfortunate Koreans were rapidly reduced to the condition of hewers of wood and drawers of water for the alien invader. Small wonder if malcontents amongst them increased in number and activity. The position of the Koreans was sufficiently desperate, after a few years of this Japanese penetration, to account for the insurrection which broke out in 1894, without attributing it to any direct instigation of the Japanese Government. Had it been necessary, it is safe to say that more or less official Japanese agents would have been found to foment sedition and rebellion amongst the Koreans, even as they have done on more than one occasion in China during the past ten years. But as every Japanese adventurer and earth-hungry colonist who drifted to Korea from 1885 to 1894 was in a very real sense an *agent provocateur*, the Government at Tokyo could well afford to

Yuan Shih-kai

Coming of Japanese immigrants

await the inevitably resultant crisis, which would provide it with the opportunity to replace Chinese moribund suzerainty by an effective Japanese protectorate.

When the crisis occurred, it found the Peking Government, as usual, full of sound and fury, but ignorant as ever concerning the nature of the problem and the strength of the forces with which China was confronted. It found Li intent, as was his wont, on discovering some way out of the difficulty, which should preserve the outward composure of China's "face" whilst avoiding the stern arbitrament of war.

**Li's attitude toward war**

It has been frequently asserted by writers and diplomatists, speaking with the voice of authority, that Li welcomed, if he did not provoke, the war with Japan in 1894. . . . Nevertheless, the few who were in a position to know the truth from first-hand information—notably Sir Robert Hart, Herr Gustav Detring, and Mr. Pethick, Li's confidential secretary—knew that Li, while bound to comply with direct orders, did everything in his power to restrain the bombastic valour of the septuagenarians of the Yamên and to urge counsels of watchful prudence. The present writer was at that time acting in a confidential capacity under Sir Robert Hart, and had occasion in the course of his duties to see sufficient documentary evidence of Li's desire for caution and conciliation. In the light of this evidence it is impossible to avoid the conclusion that the war was none of his seeking; that it was thrust upon him, partly by the force of circumstances which played into Japan's hands, and partly by the crass folly of the war party (the young Emperor's party) in Peking. Unfortunately none of this documentary evidence is in existence. As already mentioned, all Sir Robert Hart's archives at Peking and Herr Detring's private papers at Tientsin were destroyed by the Boxers in 1900; Mr. Pethick's carefully-kept diary disappeared mysteriously on the day of his death in 1901. But, documents apart, anyone who carefully studies the record and results of Li's policy in dealing with Japan can hardly fail to realise how little he stood to gain, and how much to lose, by risking all upon the chances of war against a Power which, as he well knew, was infinitely better armed and better prepared than China. . . .

Even the small expedition of troops sent by China, at the urgent request of the Korean King, was despatched in direct opposition to Li's advice. His warnings were overruled by the Court, and Li, bowing to the inevitable, made the best of the forces at his disposal. It is to be observed that at this momentous crisis the Empress Dowager was disposed to share Li's opinion; but for the time being she was more concerned with domestic than with foreign politics and had determined to give the young Emperor his head, whose ad-

visers were all for declaring war against the "Yellow Dwarfs". Already at this date the opposing forces of the Empress's and Emperor's parties were ranging themselves for the internal struggle which culminated in the *coup d'état* of 1898. Li was above all things the Empress's man, and it was therefore the policy of the Emperor's party in the Tsung-li Yamên and at Court to deride his counsels and to accuse him of unpatriotic cowardice. Li was thus forced into a disastrous war, which he would gladly have avoided; his consolation, when defeat loomed inevitable, lay in the fact that he had foreseen it and in his exclusive knowledge of Russia's intention in the last resort to prevent Japan from annexing any portion of Chinese territory on the mainland.

Parties at the court of Peking

It has become clear by this time that the position of Korea was a doubly difficult one. By her strategic position in northeastern Asia and because of the interference of Japan, China, and Russia (England's interest was profound, but she did not interfere with the internal affairs of the country) she had a problem almost impossible of solution. Internally there were numberless troubles: corrupt and inefficient officials, and court parties struggling to the death; finally, in 1894, troubles of a mixed political and religious nature in the form of riots of the Tong Hâks broke out. The following is the official report on the subject sent from Seoul to the American Secretary of State, under date of April 4, 1894.

303. The Tong Hâk Rebellion

Legation of the United States,
*Seoul, Korea, April 4, 1893.** (Received May 9.)

Mr. Heard to Secretary of State Gresham: the Tong Hâks

Sir: We have been witnessing within the past few days a curious phase of Eastern life, which has not been devoid of a personal interest for ourselves. A body, numbering about forty men, have been kneeling before the palace gate, waiting for an officer of the court to come and take from them a petition to be laid before the King. These men were the representatives of a new religious sect which sprang into being in 1859, and whose founder, Ch'e Cheng-woo, was put

* This date is apparently a typographical error; it should read 1894 [Ed. note].

to death as a heretic and a sorcerer by the governor of Cholla Do in 1864. Every effort has been made to stamp it out, but notwithstanding the persecution, or perhaps because of the persecution, the sect has flourished, and, growing rapidly, now numbers many thousands of adherents, chiefly in the southern provinces.

A report reached me some three months ago that they were collecting at a central point with the intention of marching on Seoul, but it died away, to be renewed again a fortnight ago. On the 18th ultimo all the foreign representatives were informed by their chusa, or native interpreter, that the Tong Hâk were coming, many tens of thousands strong, and that an article of their creed was the expulsion of foreigners. Inquiry failed, however, to find any authority for the statement. The chusa, when questioned, had been told the report by friends; they did not know; they had heard it talked about, and in two or three days they began to doubt whether there was anything in the story. The high officials denied that there was any truth in it, and on the 28th the president of the foreign office assured me that it was only a rumor among the people, unworthy of attention.

Unquestionably, however, there was a feeling of uneasiness in high places. The English gunboat *Peacock* and the German gunboat *Iltis* were at Chemulpo at the time, and both Mr. Hillier and Mr. Krien were approached with the view of inducing them to retain them here. Neither of these gentlemen was able, however, to get any statement that there really was danger to foreigners, and they were unwilling to act on vague rumors. The gunboats went away. . . . For the last fortnight the Tong Hâk, or "men of the Eastern religion", have formed the subject of all conversation and interest in Seoul, and on the 29th about forty of them appeared and knelt before the palace gate, where they remained several days. Upon a table covered with a red cloth was placed the petition which they wished to lay before the king. It bore the inscription:

Petition of the Tong Hâks

The petition of subjects of different provinces, scholars, of whom the chief is Pak Siung-ho, humbly submits: The religion of the late Ch'e Cheng-woo was condemned as heresy and sorcery, though in reality its teachings were to revere Heaven, to purify the heart, to protect the nation, and to tranquilize the people. Now this is a grievance to be redressed.

Its contents are unknown, but its first object is said to be to procure a reversal of the sentence which condemned the founder, Ch'e Cheng-woo to an ignominious death as a heretic and sorcerer, and permission to practice their religion; and it is supposed to contain a protest against foreigners and

Christianity, with the request that His Majesty should intervene.

The strength of the organization, or the strength of its backing in Seoul, may be inferred from the fact that not long ago to be suspected of having affiliations with the Tong Hâk was to insure persecution and death; and to-day they declare themselves boldly at the gate of the palace asking, almost demanding, recognition. Only forty appeared there, but it is supposed there are many hundreds, perhaps thousands, in the city, and these forty were renewed from time to time as they became fatigued. The birthday of the crown prince occurred on the 24th of March, and the quagas or examinations that were held in honor of the event have been the pretext under which great numbers from the country have entered the city, a certain proportion of them, no doubt, belonging to this sect.

Their present leader is Pak Siung-ho, and he made the following statement to a Korean Christian who went to him for information a few days ago, without saying who or what he was:

The doctrines of the Tong Hâks

The religion, which is the only true religion and contains all that is good in Confucianism, Buddhism, and Taoism, was founded by Ch'e Cheng-woo in 1859. Being inspired by God, he went up into the mountains, and after praying for one thousand days God appeared to him and told him to search under certain rocks. He sought and found four books, which are the sacred books known only to adepts, and containing the doctrines of the faith. They teach the worship of one God, the Creator of heaven and earth, and sacrifice to ancestors; mutual respect between father and child; the subjection of the wife to her husband; the submission of nobles to the King, and faithfulness between friends. In sum, reverence for God and love for man. (It might be thought that the faith of the hearer had tinctured what he heard.)

Pak denied that they had any hostility to foreigners, and that they practiced the acrobatic and conjuring feats ascribed to them by the common people. All their disciples are scholars, and all are received who will obey the precepts inculcated.

To these principles no objection can be made; but to the sincere believers must be added many who believe in the success of the movement and who wish to be on the winning side; and by many (it is reported) who are hostile to the Roman Catholics. . . . So much for the sect as a sect proper. But we must also look upon it as an organized body, which may be used by a political party for political purposes; and there are many who regard the present movement as only a demonstration of political intrigue. . . .

Danger in the movement

The Government was brought to face this dilemma. If they received the petition and antagonized foreigners they would have an ugly task before them. If they received and disregarded it, they might bring about a revolution. . . . On Friday, the 31st, the King came to a decision. He sent out an officer to order the people to leave their station before his gates on pain of arrest, and they did so. . . . On the next day a decree appeared in the Gazette, in which His Majesty admonished the Tong Hâk, in a fatherly way, to abandon their false doctrines and study the true Confucian wisdom. If they did not heed his admonitions he would be compelled to chastise them even unto death. . . .

During the period 1883–1894, Yuan Shih-kai was the Chinese Resident in Korea; he was sent there at the behest of Li Hung-chang, viceroy of the Metropolitan province of Chihli. In Korea Yuan first showed his exceptional administrative ability to the world, and here were sown the seeds of mutual distrust and dislike between Yuan and the Japanese. Had Yuan's wishes been carried out, Korea would have been annexed to China and ruled as a province. He lost no opportunity in insisting upon the dependence of the country upon China. When the danger to foreigners from the Tong Hâks seemed very real he, on April 6, 1894, announced his own responsibility for their safety.

**304. Yuan Shih-kai, Chinese Resident, assures safety of foreigners in Seoul**

Legation of the United States,
*Seoul, Korea, April 7, 1893.** (Received May 9.)

Sir: I have the honor to inform you that I received last evening a note from Mr. Hillier, from which I extract the following:

Mr. Yuan sent his secretary to me this afternoon with a message to the effect that two Chinese men-of-war would be in Chemulpo to-morrow morning; also that a strong decree would appear, probably to-morrow, warning the people that enough had been heard about heterodoxy and orthodoxy, and that anyone who vented any more opinions on the subject had better be careful. Lastly, he authorized me to say that he, Yuan, would be responsible, as far as in him lay,

*Cf. note p. 274 [Ed.].

for the safety of foreigners and foreign property, and that he was fully confident of his ability to maintain peace and order.

For anyone who knows the energetic character of Mr. Yuan this is a sufficient guaranty of safety.

I have, etc., Augustine Heard.

How an internal trouble was permitted to grow and how the government was unable to meet the difficulty, with the internationally important results therefrom, are shown clearly in the report of Mr. John M. B. Sill, the American envoy to Seoul, to the American Secretary of State. On June 1, Mr. Sill wrote to the American Admiral Skerrett announcing that a ship might at any time be needed at Chemulpo for the protection of American interests, and reporting that already there were British, French, Chinese, and Japanese vessels there.

Legation of the United States,
*Seoul, Korea, June 18, 1894.* (Received July 27.)

**385. The coming of Chinese and Japanese troops: Korea's alarm**

Sir: Referring to my dispatch of June 1, I now have the honor to inform you that the Korean Government, discouraged by the success of the rebellion in the south, and upon the urgent requests—which to them have the value of commands—of the Chinese representative here, asked Chinese aid, and 2,000 Chinese troops were at once dispatched to Asan, a port in the south. Before they could arrive, however, the Korean troops succeeded in capturing the chief rebels, and a few days later they recaptured Chon-ju, the capital of Cholla Do, taken by the rebels. The Chinese troops have not as yet actively helped in the suppression of the rebellion. Meantime it became known that the Japanese were also sending troops to Korea, and the Korean Government, fearing trouble, asked the Chinese to leave. This they promised to do, but as 500 Japanese marines landed at Chemulpo and came to Seoul on June 10, the Chinese held their troops where they were.

On June 13, 800 Japanese soldiers came to Seoul and relieved the marines. These soldiers had arrived at Chemulpo on transports the day before. They also left some 200 troops at Chemulpo and along the road to Seoul, at certain

parts of which they threw up earthworks, while they left a guard at the ferry near Seoul and at other important places along the Seoul road. Mr. Otori, the Japanese minister to Korea and China, who went away on leave June 1, returned with the troops. On being interrogated Mr. Otori replied that he brought over his troops for the protection of Japanese subjects and his legation, which seemed quite plausible, considering the fact that there are 1,000 Japanese in this city, 4,000 at Chemulpo, and about 10,000 at Fusan and Wensan, while the necessity of protection was shown them in the loss of about 60 people in the rebellion of 1884 and 40 more in that of 1882. . . .

Later, on the 16th instant, 3,000 Japanese troops landed at Chemulpo; and now I am informed that they are encamped with batteries upon the general foreign settlement of Chemulpo, without the consent of the other powers, thus wholly ignoring the treaty rights of each nation represented here. I have joined my European colleagues to-day in an earnest protest against this action.

Alarm of the king

The Koreans are terribly alarmed. The King has begged the Chinese to leave, but they refuse to do so as long as the Japanese remain, and the latter positively refuse to leave till the Chinese go. Meantime the Chinese subjects here are so greatly alarmed that 1,000 of them are said to be leaving for China to-morrow, as they fear a general butchery by the Japanese.

If the Chinese troops come to Seoul from the south, or if other Chinese troops come to Chemulpo from China, bloodshed will doubtless result. England is said to be occupying Port Hamilton with her fleet. There are twenty-eight men-of-war and transports at Chemulpo, representing six nationalities, as follows: Japan, China, America, England, France, and Russia. We do not know what France, and particularly Russia, will do in the event of a clash of arms, but the Koreans fear them very greatly.

Admiral Skerrett arrived at Chemulpo on his flagship *Baltimore*, June 5, in response to advices from Washington. . . . On the 13th, the King received us in audience, and expressed his gratitude for the presence of an American ship. The admiral returned to his ship on the 15th. He has now promised to remain until things assume a less threatening aspect. . . .

There is a report, not yet fully authenticated, that Japan is sending large numbers of troops to Fusan and Wensan.

On June 24, Mr. Sill sent a telegram to the United States in which appeared the following sentences: "Ko-

rean rebellion suppressed by themselves. Thousands Chinese and Japanese troops occupying Korea. Neither of them will withdraw first. In their presence there is much danger. Chinese are in favor of simultaneous departure. Japanese stubborn. Ulterior purposes suspected. She seems to desire war."

The Korean king was greatly alarmed and used all possible persuasive means to settle the difficulty and have the troops of both countries depart peacefully. At one time he planned to appeal only to the American envoy for aid in interceding with the Japanese and Chinese, but for fear of offending the representatives of the other powers it was decided to appeal to all. The appeal of the Korean Minister of Foreign Affairs to the American minister is given below.

306. Korea's appeal to the foreign ministers, June 24, 1894

Foreign Office, *Seoul, Korea, June 24, 1894.*

Your Excellency: I have the honor to state that I am directed by His Majesty to bring to the notice of the foreign representatives a certain condition of things now existent in this Kingdom, with a view of its being communicated to the several Governments having treaty relations with Korea.

At this moment the troops of two nations, namely China and Japan, are in occupation of Korean soil. The first, by invitation, to aid in quelling a rebellion; the other, without invitation and against the protest of the Korean Government, but, as represented to me, on account of solicitude for the safety of her own subjects resident here.

The necessity for the presence of both of these has now ceased. The Chinese authorities, under these circumstances, are now willing to remove their troops from Korean soil, provided Japan will remove hers. But Japan refuses to remove her troops until the Chinese have been removed, and neglects to entertain any proposition for the simultaneous removal of both.

The presence of a large army in time of peace, the landing of cavalry and artillery, the placing of batteries, and keeping a guard at strategic points after internal quiet is assured is a dangerous precedent for other nations and a menace to the peace and integrity of His Majesty's realm.

I respectfully submit to the foreign representatives and their Governments that at a time when Japan and Korea are at peace the presence and holding of Japanese armed troops in Korean territory in extraordinary numbers is not in accordance with the law of nations.

I am directed by His Majesty to ask that the foreign representatives, being fully acquainted with the facts of the situation, will use their friendly offices, as proffered by treaty, in effecting an amicable solution of the present situation.

I have, etc., CHO PIONG-CHIK,
*President of the Korean Foreign Office.*

The act which opened the China-Japan War, at least according to the decision of the British Foreign Office, was the forcible entrance of Japanese troops into the royal palace at four o'clock in the morning of July 23, and the abduction and imprisonment in the Japanese legation of the queen and her children. The Tai-wen-kün was now placed on the throne again as regent, and he four days later declared war on China.

**307. Japanese attack on royal palace, July 23, 1894**

Legation of the United States,
*Seoul, July 24, 1894.*

Sir: . . . I now have to inform you that at 4 a.m. on yesterday the Japanese forces broke into and took possession of the royal palace, a number of soldiers on both sides being killed. The King was very courageous and stood his ground, quieting all by his dignified bearing.

The Japanese then compelled the presence of the ex-regent, father of the King, and bitter enemy of the Queen's party, thus seeming to wish to pit one faction against another; we fear that assassination will result.

In his distress the King asked the foreign representatives to come to see him. We decided to do so, and later in the day we went in a body to the palace, the Japanese minister having arranged for us to pass his strong guard. As a result of this meeting we decided to do the only thing we could, that is, to cable the facts to our respective Governments and ask their good offices. . . .

The telegraph to Chemulpo was cut, but the Japanese minister kindly agreed to forward a message for me to Captain Day, of the *Baltimore* over his military line. . . .

China must resent this insult, and once her hordes begin to press across the northern border no force here will be able to stay the tide. The Chinese merchants have all left here, fearing the looting by their own troops that they say will surely follow their first success.

The effect upon the position of the Korean king, and the attitude of the people toward the Japanese after the invasion of the palace on July 23, are discussed by Mr. Sill in a later communication to the American Secretary of State.

Legation of the United States,
*Seoul, Korea, September 24, 1894.* (Received October 31).

308. Effect of the attack on the palace

Sir: Referring to my dispatch of July 18, it will be recalled that, previous to the capture of the palace by the Japanese, His Majesty had appointed a large and influential council to consider and propose reforms in the details of Korean Government. This council, consisting of seventeen members, had on the date of the dispatch mentioned above already proposed several sweeping reforms. This council is also referred to as engaged in their work under suggestions from Japan in my dispacth of August 16. . . .

We have no official knowledge that all these recommendations have received the indorsement or approval of His Majesty, though I am informed by a prominent member of the council that he has, generally willingly, but sometimes quite unwillingly, approved them all; and we know that many of them have already gone into effect, at least here in Seoul, where Japanese authority is able to look to their enforcement. Outside of Seoul and its vicinity there seems to be no efficient government. The governors and magistrates disregard the orders of the King, saying that His Majesty is a helpless prisoner and orders coming from him are really from their traditional enemy, the Japanese, and that they best serve their King by refusing obedience to commands so obtained from him.

There is little of what we would call true patriotism in Korea, but there is almost universal hatred of the Japanese, and a good degree of loyal love of the King. It would seem good Japanese policy to work through His Majesty, who could easily be brought to favor Japanese views and whose

subjects would generally fall into line if they saw him kindly and respectfully treated and believed him to have some freedom of choice. But the forcible entry of the Japanese into the palace and the cramping limitations under which it is notorious that His Majesty is held, tend, on the contrary, to break down his authority and belittle him in the eyes of his subjects, and so render him powerless to help in establishing the reforms. . . .

The first physical attack on the Chinese was the sinking of the British steamer *Kowshing*, which was carrying Chinese troops from China to Korea and which had left Taku on July 23, six hours after the Japanese attack on the palace in Seoul. The *Kowshing* was sunk by the Japanese on the twenty-fifth of July; only three Europeans—the captain, the first officer, and Major von Hanneken, a military instructor in the Chinese army, and about one hundred seventy Chinese of the twelve hundred twenty on board—were saved.

Major von Hanneken had been in the artillery and cavalry service of the German army before he became Li Hung-chang's aid-de-camp in 1879. He rendered distinguished services to the Chinese government. Of some of them we shall hear later. Extracts from the affidavit sworn to by Major von Hanneken before the British consul at Chemulpo, Korea, are quoted.

**309. The sinking of the Steamer *Kowshing*: Major von Hanneken's account**

The steamship *Kowshing* left on the 23d July with a number of soldiers, all told, 1,220 men and 12 guns, besides rifles, ammunition, etc. She arrived on the morning of the 25th in sight of the islands of the Korean Archipelago outside the Prince Jerome Gulf. . . . At about eight o'clock . . . we saw . . . altogether three more big ships coming out from behind the same island (of Hsütan). All these vessels were of large iron-clad type, as far as we could make out. At about 9 o'clock we made out on the most forward vessel the Japanese flag, above which was flying a white flag. She moved rapidly toward us, and upon passing us she saluted us by dipping her flag. . . . If we had been somewhat uneasy about this large display of the Japanese fleet, we were quite reassured about their peaceful intentions toward us when the

passing ship dipped her flag to us. . . . Such was our position . . . when signals were hoisted on No. 4 Japanese ship and two blank shots told us to stop and drop anchor. We did so. The next signal was, "Stop where you are or take the consequences". . . . All three ships moved on probably to semaphore to each other, being puzzled what to do after recognizing the British flag on a ship which was evidently a Chinese transport. The No. 4 ship then turned up to us with all her guns run out and pointed at our ship and stopped at a distance of about a quarter of a mile. We saw a boat leave and coming toward us. The commander of the Chinese troops on board told me, and asked me to tell the captain, they would rather go down on the spot than be made prisoners.

They were very excited, and I had difficulty to appease them and to impress on them that it was utterly necessary to keep order on board as long as parleying was going on. I told Captain Galsworthy what the intentions of the commander were. The Japanese boat arrived and several officers came on board. The men in the boat were armed with rifles and sabers. The Japanese officers repaired to the captain's cabin; he had to show his papers, etc., and to prove that he really was in charge of a British vessel. He then was curtly told to follow the Japanese man-of-war. I was not present at the interview. I had told the captain to send for me if need was. I was busy keeping the commander and soldiers at peace. We had arranged (Captian Galsworthy and I) before the Japanese boat came alongside that he should insist on being allowed to return to Taku, the port from which we started, since we had started from there before any declaration of war. It seems that the Japanese parlementaire did not give any time to Captain Galsworthy to insist on anything, when he told him to follow the Japanese man-of-war, and neither did I hear of this order before the Japanese officer had left the ship. When, then, Captain Galsworthy told the result of the parley, which I interpreted to the Chinese commanders, there was a great uproar amongst them and their soldiers. They menaced with swords and rifles captain and crew and all Europeans on board in case the captain dared to get up his anchor. Again I had to do my utmost to appease their turmoil, and then I told the captain to hoist a signal for the parlementaire boat to come back. She came, and this time I myself went to the gangway to speak with the Japanese officers. . . .

**Mutiny of Chinese troops**

I told the Japanese officers: . . . "The captain's hands are bound; he is not able to obey your order; the soldiers on board would not allow him to do so. Commanders and soldiers insist to be allowed to return to the port where they started from." The captain said: "I think that this is a

**Request to be allowed to return to Taku**

just and fair request, even if war should be already declared, considering that we started in time of peace." I made sure that the parlementaire understood me. They left saying that they would refer the matter to their captain. After the boat had arrived at the Japanese man-of-war we had to wait some time for an answer. At last a signal was hoisted, "Quit the ship as soon as possible." This could only be meant for the Europeans and crew, but there was no chance, and perhaps no intention, to follow this advice. The Chinese soldiers had taken charge of every davit. Captain Galsworthy then hoisted the signal, "We are not allowed." The only answer which we got was an answering pennant. Then we saw the Japanese man-of-war moving and coming around, leaving us quite at a miss about her intentions. She came around, and when she was at a distance of about 150 meters, exactly alongside of our port side, she stopped. I saw a torpedo leaving from her torpedo port, and immediately afterwards all six guns opened fire.

The attack

They discharged their guns once before the torpedo arrived at its aim. It hit the ship amidships, probably exactly at her coal bunkers. The day became night, and coal, splinters, and water were filling the air. I believe we then all jumped and swam. When swimming I saw the ship going down. She went stern first. During this the firing continued, which was bravely answered by the poor wretches who knew they had no chance in trying to swim. I saw a Japanese boat, heavily armed, with men. I thought they were coming to the rescue, but I was sadly mistaken. They fired into the men on board the sinking ship. I do not know what their purpose was in doing so. The fact is that swimming men were fired at from the Japanese man-of-war and from the sinking ship, the men on board the latter probably having the savage idea that if they had to die their brothers should not live either. The *Kowshing* went down entirely after about half an hour or less from the time when the torpedo was fired. There would have been plenty of chance for her to try for a better fate by slipping her chain when she had been told to stay where she was or to take the consequences, and again by having recourse to a ruse, showing intentions to carry out the order of the Japanese man-of-war and running to the island. This had all been suggested at the proper time; but the perfect confidence of the captain and officers in the protection of the ship against any warlike undertakings by the fact of her being a British vessel flying the British flag sealed her fate, and, I am grieved to say, also the fate of the officers, crew, and soldiers, of which, as much as I know till now, only about 170 men saved their lives by swimming. So far, I do not know of any other European who reached the shore.

Double attack on men in the sea

CONSTANTIN VON HANNEKEN.

The status of the *Kowshing* and its origin are discussed in a document sent from the American chargé d'affaires, Mr. Charles Denby, Jr., in Peking to Mr. Gresham, the Secretary of State at Washington.

310. The status of the *Kowshing*

Legation of the United States,
*Peking, July 28, 1894.* (Received Sept. 11.)

Sir: I have the honor to report that the Tsung-li-Yamên received yesterday afternoon a telegram from Korea announcing that the ship *Kowshing*, having on board 1,500 Chinese troops, had been fired upon by Japanese men-of-war, near A-san (or Ya-san), on the coast of Korea, some miles south of Chemulpo, and that she had gone down. . . .

The ship *Kowshing* was the property of the Indo China Steam Navigation Company and flew the English flag. She was chartered on or about the 16th instant by the Chinese Government to be used as a dispatch boat. The agreement between the company and the Chinese Government was that she should be sailed under the British flag as long as it should be safe to do so; if captured, the purchase money already agreed upon was to be paid to Messrs. Jardine, Matheson & Co., agents. On a formal declaration of war it was agreed that the vessel should run into the nearest Chinese port and hoist the Chinese flag. She was under the English flag when fired on yesterday.

It is not known what incidents preceded this act of violence on the part of the Japanese nor how it is regarded by the British authorities. The effect can hardly be other than an immediate declaration of war between China and Japan. At this moment the Japanese chargé d'affaires is still in Peking and has no orders to withdraw.

The Chinese Telegraph Administration refuses to transmit cipher telegrams unless sealed by the Tsung-li-Yamên.

I have, etc.,

CHAS. DENBY, JR.

## *Section 55. The War with Japan and Its Results*

War having broken out on July 23, and the aggressive having been taken by Japan not only in the case of the attack on the royal palace but in that on the

*Kowshing* the two belligerents issued their respective statements of the causes and formal declarations of war.

Japan's declaration was issued on August 1, 1894:

311. Japan's declaration of war

"We, by the grace of Heaven, Emperor of Japan, seated on a Throne occupied by the same dynasty from time immemorial, do hereby make proclamation to all our loyal and brave subjects, as follows :—

"We hereby declare war against China, and we command each and all our competent authorities, in obedience to our wish and with a view to the attainment of the national aim, to carry on hostilities by sea and by land against China, with all the means at their disposal, consistently with the Law of Nations.

Japan loves and promotes peace

"During the past three decades of our reign our constant aim has been to further the peaceful progress of the country in civilization; and, being sensible of the evils inseparable from complications with foreign States, it has always been our pleasure to instruct our Minister of State to labour for the promotion of friendly relations with our Treaty Powers. We are gratified to know that the relations of our Empire with those Powers have yearly increased in goodwill and in friendship. Under the circumstances, we were unprepared for such a conspicuous want of amity and of good faith as has been manifested by China in her conduct towards this country in connection with the Corean affair.

Korea an independent state

"Corea is an independent State. She was first introduced into the family of nations by the advice and guidance of Japan. It has, however, been China's habit to designate Corea as her dependency, and both openly and secretly to interfere with her domestic affairs. At the time of the recent insurrection in Corea, China despatched troops thither, alleging that her purpose was to afford a succor to her dependent State. We, in virtue of the treaty concluded with Corea in 1882, and looking to possible emergencies, caused a military force to be sent to that country.

"Wishing to procure for Corea freedom from the calamity of perpetual disturbance, and thereby to maintain the peace of the East in general, Japan invited China's co-operation for the accomplishment of the object. But China, advancing various pretexts, declined Japan's proposal. Thereupon Japan advised Corea to reform her administration so that order and tranquility might be preserved at home, and so that the country might be able to discharge the responsibilities and duties of an independent State abroad. Corea has already

China's perfidy

consented to undertake the task. But China has secretly and

insidiously endeavored to circumvent and to thwart Japan's purpose. She has further procrastinated and endeavored to make warlike preparations both on land and at sea. When those preparations were completed she not only sent large reinforcements to Corea, with a view to the forcible attainment of her ambitious designs, but even carried her arbitrariness and insolence to the extent of opening fire upon our ships in Corean waters. China's plain object is to make it uncertain where the responsibility resides of preserving peace and order in Corea, and not only to weaken the position of that state in the family of nations—a position obtained for Corea through Japan's efforts—but also to obscure the significance of the treaties recognising and confirming that position. Such conduct on the part of China is not only a direct injury to the rights and interests of this Empire, but also a menace to the permanent peace and tranquility of the Orient. Judging from her actions it must be concluded that China from the beginning has been bent upon sacrificing peace to the attainment of her sinister object. In this situation, ardent as our wish is to promote the prestige of the country abroad by strictly peaceful methods, we find it impossible to avoid a formal declaration of war against China. It is our earnest wish that, by the loyalty and valour of our faithful subjects, peace may soon be permanently restored and the glory of the Empire be augmented and completed.

"Given this 1st day of the eighth month of the 27th year of Meiji."

(His Imperial Majesty's Sign-manual)

Counter-signatures of the Minister President of State and of the other Ministers of State.

On July 31, the Prince of Kung and the ministers of the Tsungli Yamen issued a communication to the Japanese charge d'affaires at Peking which is considered to be the formal declaration of war on the part of China. Mr. Denby's comments on the note are of interest. The latter were for the American Secretary of State.

312. China's declaration of war

Legation of the United States,
*Peking, August 6, 1894.* (Received September 22.)

Sir: I have the honor to inclose herewith a translation of an official dispatch received by Mr. Komura, chargé d'affaires of Japan, from the Tsung-li-Yamên the day before his

departure. I have translated it literally from the Chinese copy furnished me by Mr. Komura.

It is an interesting document, as it was intended by the Yamên and accepted by Mr. Komura as a formal declaration of war. This is the only declaration of war by China in modern times. It is unnecessary to call attention to its dignified and courteous tone.

I have, etc., CHAS. DENBY, JR.

(Inclosure in No. 42.)

The prince and ministers of the Tsung-li-Yamên make a communication.

We had long hoped to settle by negotiation, without a rupture of our friendship, the disagreements that existed between China and your country with reference to the affairs of Korea. On the 25th of July, however, at the seaport of Ya-shan in Korea, your forces made an attack upon our ships. Hostilities have therefore now begun, the treaties between our countries are henceforth void and this Yamên, to its great regret, will in future treat of no matters with you.

MR. KOMURA,

*Chargé d'affaires of Japan.*

The 29th year of Kuang-hsü, 6th moon, 29th day (July 31, 1894).

On the next day, August 1, the emperor Kuang Hsü issued a decree explaining the causes of the war for the benefit of his people, "that they may know that in this affair the action taken by us has been actuated by a sense of the utmost kindness and of what was right and just."

**313. Decree of Emperor Kuang Hsü, August 1, 1894**

Corea has been our tributary for the past two hundred odd years. She has given us tribute all this time, which is a matter known to the world. For the past dozen years or so Corea has been troubled by repeated insurrections, and we, in sympathy with our small tributary, have as repeatedly sent succor to her aid, eventually placing a Resident in her capital to protect Corea's interests. In the fourth moon (May) of this year another rebellion was begun in Corea, and the King repeatedly asked again for aid from us to put down the rebellion. We then ordered Li-Hung-chang

to send troops to Corea; and they having barely reached Yashan the rebels immediately scattered. But the Wojên,* without any cause whatever, suddenly sent their troops to Corea, and entered Seoul, the capital of Corea, reinforcing them constantly until they have exceeded ten thousand men. In the meantime the Japanese forced the Corean king to change his system of government, showing a disposition every way of bullying the Coreans.

China's policy toward her vassals

It was found a difficult matter to reason with the Wojên. Although we have been in the habit of assisting our tributaries, we have never interfered with their internal government. Japan's treaty with Corea was as one country with another; there is no law for sending large armies to bully a country in this way, and compel it to change its system of government. The various Powers are united in condemning the conduct of the Japanese, and can give no reasonable name to the army she now has in Corea. Nor has Japan been amenable to reason, nor would she listen to the exhortation to withdraw her troops and confer amicably upon what should be done in Corea. On the contrary, Japan has shown herself bellicose without regard to appearances, and has been increasing her forces there. Her conduct alarmed the people of Corea as well as our merchants there, and so we sent more troops over to protect them. Judge of our surprise then when, half-way to Corea, a number of the Wojên ships suddenly appeared, and taking advantage of our unpreparedness, opened fire upon our transports at a spot on the seacoast near Yashan, and damaged them, thus causing us to suffer from their treacherous conduct, which could not be foretold by us. As Japan has violated the treaties and not observed international laws, and is now running rampant with her false and treacherous actions, commencing hostilities herself, and laying herself open to condemnation by the various Powers at large, we therefore desire to make it known to the world that we have always followed the paths of philanthropy and perfect justice throughout the whole complications, while the Wojên, on the other hand, have broken all the laws of nations and treaties which it passes our patience to bear with. Hence we commanded Li-Hung-chang to give strict orders to our various armies to hasten with all speed to root the Wojên out of their lairs. He is to send successive armies of valiant men to Corea in order to save the Coreans from the dust of bondage. We also command the Manchu generals, viceroys, and governors of the maritime provinces, as well as the commanders-in-chief

Japan's attack on the *Kowshing*

* An ancient name for the Japanese expressive of contempt meaning, literally, dwarf.

of the various armies, to prepare for war and to make every effort to fire on the Wojên ships if they come into our ports, and utterly destroy them. We exhort our generals to refrain from the least laxity in obeying our commands in order to avoid severe punishment at our hands. Let all know this edict as if addressed to themselves individually.

Respect this!

In Mr. Bland's *Li Hung-chang* we find a valuable account of Viceroy Li's attempt to carry out what Commissioner Lin, in his *Statistical Notices of the Kingdoms of the West*, had suggested half a century earlier, that is, a modernization of China by following out certain Western methods. Li attempted to build up a navy and an army. For these, great sums of money were appropriated. The effect of all this is shown in the account quoted from the above-mentioned book According to the author there were two main reasons for Li's failure. First, the high officials could not be brought to a sense of their responsibility, and the military officers themselves would not submit to discipline and training by their foreign instructors; and, second, Li could not or would not bring himself to the stern enforcement of honesty in the appointment of officials and officers concerned with his army and navy, and in the administration of funds. The result was a failure to make use of a unique opportunity.

**314. China's unpreparedness for war**

When the crisis came, brought about by the struggle for Korea, Li's much-vaunted navy had become almost as useless for fighting purposes as the mediaeval towers with their painted guns on the walls of Peking. Did Li realise its condition? Again we are compelled to believe that he did, for when the Court and Yamên urged him to send forth the fleet to avenge the sinking of the *Kowshing* he kept it as long as possible carefully confined to the Gulf ports. It was at this juncture, if report speaks truly, that he sent a secret memorial to Tzŭ Hsi, intimating that the navy's con-

dition was not what it might have been had Her Majesty not insisted on diverting Admiralty funds to the rebuilding and furnishing of her Summer Palace. But the Yamên would hear of no excuses. The censors joined in a shrill chorus of taunts and reproaches, and Li was forced to send his ships to meet their fate at the battle of the Yalu.

Use of foreigners in Chinese navy

Every European in the Tientsin arsenal was well aware that the cowardice of Admiral Ting's captains and the deficiencies of his ships meant impending disaster. That gallant but incapable commander knew it also, and on his advice Li hurriedly stiffened his *personnel* with a handful of brave and faithful foreigners in the Chinese Government's service. Without the leadership and courageous example of Herr von Hanneken, Captains Tyler, McGiffen, McClure, and other Europeans, there would have been no stand against the enemy, but only an ignominious flight and fiasco. Herr von Hanneken, after narrowly escaping death on the *Kow-shing* (July 25th), was appointed chief of staff and "adviser" to Admiral Ting. From Wei-hai-wei he reported to the Viceroy in August that the fleet was practically destitute of ammunition, and he urged that the arsenals at Tientsin should be ordered to forward a full supply of shells with all speed. But the shells were not in stock, and no amount of activity on the part of Mr. Stewart and the foreign staff could provide the quantity required. The fleet went forth in September with fourteen shells per gun, and these loaded with light practice charges. The notorious Chang P'ei-lun, Li's son-in-law and champion "squeezer" of his Yamên, was at this time in charge of the Ordnance Supply Department. China's naval defeats were caused partly by his wholesale peculations and partly by the treacherous cowardice of the sea-going officers who connived at his dishonesty and shared his plunder.

Lack of ammunition

Two years before the war Li Hung-chang, urged by Herr von Hanneken, had sanctioned an order for the purchase from Krupp's of a large quantity of heavy shells for the ten-inch guns of the two ironclads *Chen Yuen* and *Ting Yuen*. But the order was never executed, for Chang P'ei-lun disapproved of wasting money on explosives, and his friends Captains Liu, Lin, and Fong shared his views. (It would be interesting to know whether Li was informed of this "economy" and on what terms he agreed to it.) So China's two ironclads went into action on September 17th, at the battle of the Yalu, with three heavy shells between them. Of these three, one, fired by Gunner-Instructor Hekmann (of Krupp's), hit and nearly destroyed the Japanese flagship *Matsushima*. Had the proper quantity of ammunition been forthcoming for these heavy guns, the battle of the Yalu

might well have gone in China's favour, for Admiral Ting was a fighting man and his crews were mostly staunch. But the battleships' big guns were useless; and for the rest of their armament Chang P'ei-lun's ideas of economy compelled them, towards the end of the engagement, to use non-explosive steel shot for their smaller ordnance. So that it is strictly correct to say that the battle of the Yalu was lost by reason of the peculations of Li's son-in-law, Chang P'ei-lun. And for these, as for Chang's presence in his Yamên, Li himself must be held to blame. . . . Four months later Chang was cashiered and banished on a charge of having had corrupt dealings with a Japanese spy.

A month elapsed after the battle of the Yalu before the order for shells for the battleships' heavy guns was finally despatched. They arrived in China too late for delivery at Wei-hai-wei, where the blockaded fleet was making a last desperate stand. Again, in this reputedly formidable stronghold, the gallant Ting found the task of defence impossible, afloat and ashore, because of the inefficiency and corruption of the Viceregal supply departments. He was loyally supported by a few staunch Europeans, under Admiral McClure and Captain Tyler, but the odds against him were too heavy, and the disastrous end was a foregone conclusion from the day of the Japanese investment of the port. At the Itao fort, out of 104 rounds of shell, only four were found to be filled, one with powder and three with sand. The sighting mirrors of the eight-inch disappearing Armstrong guns had been stolen, and the breech-blocks were out of order. . . .

Collapse of Chinese army

The collapse of the Chinese army was even more rapid and complete, but its prestige had never been equal to that of the navy; indeed, its futility as a fighting force, being almost a matter of accepted tradition, could not have caused any great surprise. . . . All the spasmodic attempts that Li and other viceroys had made towards army reorganisation were merely as the patching of a worn-out garment. . . .

As regards the provision of arms and munitions for the army, the same conditions of official incompetence and dishonesty existed as those which brought disaster on the navy. Every provincial authority played for its own hand—none more so than Chihli—and with an eye rather to the perquisites and profits of contracts than to securing a homogeneous supply of *materiel* and equipment. There was neither system nor central supervision, with the result that local authorities and even subordinate officials competed with each other in the purchase of any and every sort of weapon and ammunition. In the same way each of the various provincial arsenals purchased plant and materials as seemed right and profitable to the officials in charge, without reference to

each other or to Peking; the result was an immense quantity of perfectly useless munitions, served out haphazard to men who had never been trained—and indeed were not seriously expected—to use them. . . .

Military affairs

It is unnecessary to describe in detail the lamentable phases of the 1894 campaign on land. The chief preoccupation of Li's generals was to make room for the advancing Japanese, while preserving the appearance of determined resistance; the Tientsin troops (recruited from Li's province of Anhui) were more concerned with looting from the Koreans than with engaging the enemy. These men were commanded by General Wei Ju-kuei, one of Li's favourite henchmen, whose utter incompetence and cowardice had frequently been denounced by the Censors; he was beheaded in November. General Yeh, who distinguished himself by treachery and flight at Ping-yang, was another of Li's nominees and *protégés*. The only troops that displayed any stomach for fighting were those led by the Shantung Mahomedan Tso Pao-kuei, who, contrary to all his colleagues' ideas, fell fighting at the head of his men.

Port Arthur

At Port Arthur the defence had been entrusted to General Wei Ju-ch'eng, brother of Wei Ju-kuei and his equal in cowardly inefficiency. Associated with him was the Taotai Kung Chao-yu, civil commandant, who fled to Chefoo when the Japanese investment of the fortress began, but was forced by the Governor of Shantung to return to his post. Under such leaders no defence by Chinese troops was to be expected. The great fortress, on which such vast sums had been spent and which German experts had declared to be impregnable, fell almost at the first attack. The garrison, as usual, proceeded to loot the dockyard treasure and stores, and the portable property of the civilians, preparatory to flight. The officer in command of the harbour defences fled after disconnecting the wires of the mine-field. Not a single torpedo or mine of the large number laid was ever fired. Practically, no opposition was offered to General Oyama's landing at Kinchou on October 24th, or to his capture of Talienwan a fortnight later. When the Japanese army entered Port Arthur they found there a large stock of coal and ammunition; the fortifications were undismantled, the dockyard plant undestroyed.

Li Hung-chang was never without numerous enemies who criticized his every move. The criticisms of these, as we have seen above, he characterized as the "howlings of dogs," and went his way serenely. The doctrine of

official responsibility was bound to cause him trouble from time to time, for he was one of the most powerful and able of the leaders of China during the nineteenth century. The defeat of the Chinese forces caused the advice given to the emperor by Li's enemies to be accepted. On September 17, 1894, the following decree was published in the *Manuscript Gazette* of Peking. This is referred to by Mr. Denby as "the last of a long series of indignities put upon Li Hung-chang by his imperial master. . . . The viceroy has received peremptory and insulting messages from the throne. . . . Many friends, whose careers the viceroy has made, have turned upon him. Attacking him they hope to save themselves. He remains, however, defiant, spiritedly defending himself."

**315. Li Hung-chang's disgrace**

The Japanese revoked the treaty existing between the two countries and commenced hostilities and forced their way into Korea. Entertaining a kindly feeling toward our vassal state, we, therefore, dispatched our forces to Korea to punish our foe.

Li Hung-chang, minister superintendent of northern trade, was appointed general director in the management of our military affairs and he should have given thorough consideration of the general interests at stake, made the best possible arrangements, and satisfied all necessary requirements. He alone was responsible for the trust imposed upon him. But he has not been prompt in the dispatch of troops at opportune times, and a long period has elapsed without successful achievements. He has failed to properly discharge the duties of his office.

Let him, therefore, be deprived of the "three-eyed peacock feather" and the "yellow riding jacket" as a light form of punishment. He must, however, make an effort and earnestly awake to action and give orders urging the officers in command of our forces in the various places in Korea to exert themselves, pursue and join battle with the enemy as an atonement for the errors committed.

During the Weihaiwei campaign of January and February, 1895, an example of chivalrous treatment of the Chinese Admiral Ting by the Japanese Admiral Ito is

found that adds a gleam of light to an otherwise gloomy scene of defeat for the Chinese. Admiral Ting was the commander of the Peiyang Squadron, which was "bottled up" at Weihaiwei. The actual fighting in this campaign lasted only two weeks, from January 29 to February 12. It has been described as the "most dramatic episode of the war," and it left the imperial government of China no alternative but to sue for peace.

Knowing that they were far more powerful than their opponents the Japanese were willing to save the human and financial cost of a forced capitulation of the fortress of Weihaiwei. Admiral Ito sent a letter to Admiral Ting on January 25, advising him to surrender. This was before the attack began. Not only for the chivalrous tone of the communication but also for its historical content is the letter worthy of careful reading.

316. Letter from Admiral Ito to Admiral Ting

I have the honour to address this letter to your Excellency. The vicissitudes of the time have made us enemies. It is a misfortune. Yet it is our countries that are at war. There need be no hostility between individuals. The friendship that formerly existed between you and me is as warm as ever to-day. Let it not be supposed that in writing this letter I am actuated by any idle purpose of urging you to surrender. The actors in great affairs often err; the onlookers see the truth. Instead of calmly deliberating what course of procedure of his own part is best for his country, best for himself, a man sometimes allows himself to be swayed by the task in which he is actually engaged and takes a mistaken view; is it not then the duty of his friends to advise him and turn his thoughts into the right channel? I address myself to you from motives of genuine friendship, and I pray you to appreciate them. What is the origin of the repeated disasters that have befallen the Chinese arms? There is, I think, little difficulty in discovering the true reason if one look for it calmly and intelligently. Your discernment has doubtless shown you the cause. It is not the fault of one man that has brought China into the position she now occupies; the blame rests with the errors of the Government that has long administered her affairs. She selects her servants by competitive examination, and literary attainments

Through friendship Ito urges Ting to surrender

Chinese government at fault

are the test. Thus it results that her officials, the repositories of administrative power, are all literate, and literature is honoured above everything. Her practice in this respect is as uniform to-day as it was a thousand years ago. It is not necessarily a defective system, nor does it necessarily produce a bad government. But a country can never preserve its independence in practice by such means. For you know well what troubles Japan had to encounter thirty years ago, what perils she had to surmount. She owes her preservation and her integrity to-day wholly to the fact that she then broke away from the old and attached herself to the new. In the case of your country also that must be the cardinal course at present; if you adopt it, I venture to say that you are safe; if you reject it, you cannot escape destruction. In a contest with Japan it has long been fated that you should witness results such as are now before you. Can it be the duty of faithful subjects of the empire, men really solicitous for its welfare, to swim idly with the tide now sweeping over the country by the decree of an ancient fate, making no effort to stem it? A country with a history running back thousands of years, and territories stretching tens of thousands of miles, the oldest empire in the world, can it be an easy task to accomplish for such a country a work of restoration, replacing its foundation on a permanently solid basis. A single pillar cannot prevent the fall of great edifice. Is there any latitude for choice between the impossible and the disadvantageous? To hand over squadrons to the foe, to surrender a whole army to an enemy; these are mere bagatelles compared with the fate of a country By whatever reputation a Japanese soldier possesses in the eyes of the world, I vow that I believe your wisest course is to come to Japan and wait there until the fortunes of your country are again in the ascendant, and until the time arrives when your services will be again needed. Hear these words of your true friend. . . . The great question that you have now to determine is whether you will throw in your lot with a country that you see falling to ruin, and be involved in a result inevitable under unchanged administrative circumstances, or whether you will preserve the strength that remains to you and evolve another plan hereafter. It has generally been the habit of warriors of your country to use haughty and rough language in addressing their foes, but I address this letter to you from motives of pure friendship, and I entreat you to credit my sincerity. If happily, reading these words, you accept my counsel, I will with your permission address some further remarks to you on the subject of giving practical effect to the idea.

Weakness of competitive examination system

Origin of Japan's success

Admiral Ting invited to Japan

(Signed) Ito Yuko, &c.

To the above letter Admiral Ting did not reply until his ships were sunk and many of his men killed in battle. He then wrote the following offer of surrender, dated February 12. The same day Admiral Ito accepted the offer of surrender and set the next day for the taking over of the ships, forts, and the other war materials in the possession of Ting. The latter replied on the same day, asking for four days' time in which the Chinese could evacuate. After sending this letter, the Chinese Admiral committed suicide by swallowing a quantity of opium.

317. Admiral Ting's reply

I received the lette of suggestions addressed to me . . . but did not reply because our countries were at war. Now, however, having fought resolutely, having had my ships sunk and my men decimated, I am minded to give up the contest, and to ask for a cessation of hostilities in order to save the lives of my people. I will surrender to Japan the ships of war now in Wei-hai-wei harbour, together with the Liukung Island forts and the armament provided that my request be complied with, namely, that the lives of all persons connected with the army and navy, Chinese and foreign, be uninjured, and that they be allowed to return to their homes. If this be acceded to, the Commander-in-Chief of the British naval squadron will become guarantor. I submit this proposal, and shall be glad to have a speedy reply.

(Signed) Ting Zhuchang.
Tituh of the Peiyang Fleet.

(Dated) 18th day of the 1st month of the 22nd year of Kwang-su (February 12th, 1895).

To His Excellency Ito, Commander-in-Chief of the squadron.

To the average Westerner the Oriental customs relating to suicide often seem strange and sinful. This interesting subject cannot be discussed here, but the comments of one of the historians of the war, Vladimir, on the subject are of interest, as is the account of the last honors paid by gallant victors to a distinguished foe.

318. Comments on the suicide of Admiral Ting

. . . It may also be added that in his peculiar circumstances suicide would have been excusable even for a European: the barbarous laws of China involve the whole family in the guilt of one of its members, and if Ting had not committed suicide he would have brought ruin on his relations. Even after performing that supreme act of self-sacrifice he was denied posthumous honours by his Government.

Honors paid to him

Ting was honoured only by strangers. On hearing of his death Admiral Ito, deeply moved, ordered that one of the captured Chinese vessels should be returned, to convey his body with befitting decorum to Chefoo. Before this ship left, the Japanese Officers paid a visit to his mortal remains—the profound respect they showed greatly touched the Chinese and foreigners who beheld them. At Chefoo the foreign men-of-war sent detachments to accompany the bier. . . . The Chinese were much touched when Admiral Ito gave back the *Kang-chi* that she might convey Ting's coffin to Chefoo. Taotai Niu wrote a letter thanking him for the gracious act. . . . [The] imposing scene of the Japanese officers reverently visiting the remains of Ting . . . may be compared with the most striking pages of the history of chivalry.

A brief comparison of certain characteristics of the warring nations given by a contemporary of the events touched upon is not without value.

319. Comparison of China and Japan, 1894-1895

China actually went to war without a hospital corps, or any organization of surgeons, nurses, or accommodations for the wounded or sick worthy of the name. Except detachments from Li Hung Chang's private army, very few of the Chinese officers or men had been educated in modern tactics. In their equipment all sorts of prehistoric accoutrements—flags, banners, umbrellas, and fans—were mingled with modern imported weapons, in a medley which resembled the diplomacy of Peking. On the other hand, besides a thoroughly well-officered, armed, drilled, equipped, and provisioned army of fifty thousand young men, the flower of the Japanese nation, the Tokio government was able to call out for service a reserve of one hundred thousand strong and healthy patriots, burning with enthusiasm and familiar with the weapons, machinery, and practice of modern war. Furthermore, besides her numerous public and private hospitals, her splendid medical field-corps, her four hundred surgeons and pharmacists, and her fourteen hundred trained nurses, she had an efficient Red Cross society. Immediately both

the nation and the government began the organization and consolidation of all public and private resources in order to strike as a unit. At home and abroad all sons and daughters of Nippon vied in diligence and sacrifice for the efficient carrying on of the war, and for securing the comfort of the soldiers at the front.

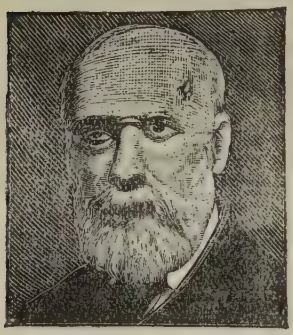
The secrets of Japanese success are patent to the student. In such a time as this, life for the average man in Nippon is worth living. With a flaming patriotism that surprises Europeans who have imagined Japanese to be only average Asiatics and mere imitators, all classes, sexes, and ages rallied intelligently to the support of the national cause. A quarter of a century ago Japan was the hot-bed of caste, monopoly, and privilege. These seemed to crush out every germ of popular liberty and ambition. Even the proverbial politeness and submissiveness of the Japanese common people is in large part the result of ages of military despotism. To-day, with the soil virtually in the hands of the people who cultivate it; the courts open to all who seek even-handed justice; schools and education free to everyone; military privilege no longer the prerogative of a special class; the existence of pariahs no more than a memory; government becoming more national and representative; democracy making strides every day, with little or nothing to hinder the advance of the individual in every line of human achievement, it is not strange to see a whole nation rising up in an outburst of intensest energy. Self-sacrifice, loyalty, and patriotism, with an unquenchable ambition to humble China, to impress the whole world, and to make their country great, characterize the Japanese of A. D. 1895. In this war they have irrevocably committed themselves to cosmopolitan as against Chinese or merely ethnic principles.

Throughout this period, one of China's most trusted advisers was Sir Robert Hart, the head of the Imperial Maritime Customs. His comments on the situations in which the two countries were involved and especially his prophecy, which students of the present generations are witnessing being carried out, deserve the closest attention.

320. Sir Robert Hart's observations on the war and his prophecy

. . . China's collapse has been terrible, and the comical and tragical have dovetailed all along the frontier of incident in the most heartbreaking, side-bursting fashion. Even to-day those who can, try to make their own game out of any

sycee issued for expenditure and the heart of the country knows nothing of the war, and will not make allowances for defeat: thus the government will have its own difficulties in getting the people at large to believe in sacrifices made for peace, and internal trouble may appear just as the external war ends. But in fact, although it is only at a minute spot along the fringe of this big empire that the Chinese have received thrashing after thrashing, it is the shell of the egg that is cracked, and—it seems to me a bad case of Humpty Dumpty. The conditions were terrible, and those wily Japanese have played their cards—even in framing conditions—with such a mixture of civilized grace and Asiatic slyness that all the world will be on their side and applaud, and all China will wince from North to South and for a whole cycle! I am trying to get rid of an innocent impossibility which might any day become a breach of treaty and a new *casus belli*, and also of a pound of flesh plus blood stipulation which would be hard to stagger under, as well as to round off a few corners to a shape that will be easier: but I find the other party is too clever and knows both what it wants, and how to get it, too well, to allow me to hope for success. Japan wants to lead the East in war, in commerce, and in manufactures, and next century will be a hard one for the West! Everything that China should have yielded gracefully to others when asked for will now have to be yielded to Japan's hectoring: Japan will then pose and say to all creation—'That's the way to do it, you see, and it's I that did it!'



*Harmsworth's "Universal Encyclopedia"*
SIR ROBERT HART

When Li Hung-chang went to Japan to conclude peace with that victorious nation among those who accompanied him in the capacity of an adviser was Mr. John W. Foster, a distinguished diplomatist and diplomatic historian of American nationality. In his work *American Diplomacy in the Orient* Mr. Foster, in a few sentences, summarizes his conclusions on some of the lessons learned from the war.

A footnote (page 342) of that volume throws interesting light on the military side of the struggle: "The overwhelming success of the Japanese army in the Chinese war, while unexpected to the world at large, was not a surprise to well-informed military observers. General U. S. Grant, after his visit to China and Japan in 1879, expressed the opinion that 'a well-appointed body of ten thousand Japanese troops could make their way through the length and breadth of China, against all odds that could be brought to confront them.'"

321. An American diplomatist's observations

. . . It dispelled the idea that China might be counted upon in the near future as a military power. It brought to the attention of the world a new factor not only in the Far East, but in the policy of the Western nations. Japan had demonstrated not only that its people were patriotic and warlike, but that its generals possessed a knowledge of strategy, that it had a well-equipped system of sea transportation, and an advanced knowledge of the methods of supplying and moving large armies, and that it contained within itself the financial resources to maintain a great and expensive war. . . .

The war swept away the last vestige of the vassalage of Korea to China. But in its stead was substituted a new danger to its autonomy. Japan had completely dominated the government of that country during the hostilities, and at their termination was prepared to reap the benefits of its control of the administration of the king. But in the execution of its plans it had to reckon with the designs of Russia. The government of that great and expanding empire, as its first act of interference, compelled Japan to surrender the best fruit of the war in the retrocession to China of the Liao-tung Peninsula.

Although the emperor had been pleased to disgrace Viceroy Li on account of the reverses to Chinese arms, he nevertheless picked him as the envoy who should carry on the difficult and humiliating negotiations for peace. Li, with a suite of one hundred thirty-five persons, arrived in Shimonoseki on March 19, 1895. After many discussions and the occurrence of several important

incidents, including the attempted assassination of Li, himself, the Treaty of Shimonoseki was signed on April 17. The agreement was in three languages: Japanese, Chinese, and English—the last to be appealed to in case of divergence of opinion regarding the Chinese and Japanese texts.

The signers for Japan were Count Ito Hirobumi and Viscount Mutsu Munemitsu. For China, Li Hung-chang and his son, Li Ching-fong, were the signers. Parts of the more important articles are included below.

**322. The Treaty of Shimonoseki, April 17, 1895**

His Majesty the Emperor of Japan and His Majesty the Emperor of China, desiring to restore the blessings of peace . . . have named as their plenipotentiaries for the purpose of concluding a Treaty of Peace . . . Count Ito Hirobumi . . . and Viscount Mutsu Munemitsu . . . and . . . Li Hung-chang . . . and Li Ching-fong:

Who, after having exchanged their full powers, which were found to be in good and proper form, have agreed to the following Articles:—

ARTICLE I

**Korean independence**

China recognises definitively the full and complete independence and autonomy of Corea, and, in consequence, the payment of tribute and the performance of ceremonies and formalities by Corea to China, in derogation of such independence and autonomy, shall wholly cease for the future.

ARTICLE II

**Cessions of territory**

China cedes to Japan in perpetuity and full sovereignty the following territories, together with all fortifications, arsenals, and public property thereon:—

(*a*) The southern portion of the province of Feng-tien within the following boundaries:

The line of demarcation begins at the mouth of the River Yalu and ascends that stream to the mouth of the River An-ping, from thence the line runs to Feng-huang, from thence to Hai-cheng, from thence to Ying-kow, forming a line which describes the southern portion of the territory. The places above named are included in the ceded territory. When the line reaches the River Liao at Ying-kow, it follows the course of that stream to its mouth, where it terminates. The mid-channel of the River Liao shall be taken as the line of demarcation.

This cession also includes all islands appertaining or belonging to the province of Feng-tien situated in the eastern portion of the Bay of Liao-tung and in the northern part of the Yellow Sea.

(*b*) The island of Formosa, together with all islands appertaining or belonging to the said island of Formosa.

(*c*) The Pescadores Group, that is to say, all islands lying between the 119th and 120th degrees of longitude east of Greenwich and the 23rd and 24th degrees of north latitude.

### Article IV

China agrees to pay to Japan as a war indemnity the sum of 200,000,000 Kuping taels; the said sum to be paid in eight instalments. . . . Indemnity

### Article VI

. . . China engages . . . to appoint Plenipotentiaries to conclude, with the Japanese Plenipotentiaries, a Treaty of Commerce and Navigation and a Convention to regulate Frontier Intercourse and Trade. . . . From the date of the exchange of the ratifications of this Act until the said Treaty and Convention are brought into actual operation, the Japanese Government, its officials, commerce, navigation, frontier intercourse and trade, industries, ships, and subjects, shall in every respect be accorded by China most-favoured-nation treatment. Most-favored-nation treatment

China makes, in addition, the following concessions, to take effect six months after the date of the present Act:—

1st.—The following cities, towns, and ports, in addition to those already opened to the trade, residence, industries, and manufactures of Japanese subjects, under the same conditions and with the same privileges and facilities as exist at the present open cities, towns, and ports of China:

1. Shashih, in the province of Hupeh.
2. Chungking, in the province of Szechwan.
3. Suchow, in the province of Kiangsu.
4. Hangchow, in the province of Chekiang.

The Japanese Government shall have the right to station Consuls at any or all of the above-named places.

2nd.—Steam navigation for vessels under the Japanese flag, for the conveyance of passengers and cargo, shall be extended to the following places:

1. On the Upper Yangtsze River, from Ichang to Chungking.
2. On the Woosung River and the Canal, from Shanghai to Suchow and Hangchow. . . .

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** *British Blue-Books:* China No. 2 (1875); J. O. P. Bland, *Li Hung-chang;* A. Michie, *The Englishman in China,* Vol. II; Hulbert, *The Passing of Korea* (London, 1906); Griffis, *Corea the Hermit Kingdom* (New York, 1911); *Foreign Relations of the United States,* 1894 (Washington); Vladimir *The China-Japan War* (London, 1896); Griffis, *The Mikado's Empire* (New York, 1895); J. W. Foster, *American Diplomacy in the Orient* (Boston, 1903); U. B. Li, *Outlines of Chinese History* (Shanghai, 1914); Lord Curzon, *Problems of the Far East* (New York, London, 1896); O. N. Denny, *China and Korea* (Shanghai, 1888); B. K. S. Latourette, *The Development of China* (Boston, New York, 1917); H. Chung, *The Oriental Policy of the United States* (New York, Chicago, 1919); C. Duncan, *Corea and the Powers* (Shanghai, 1889); Sir R. K. Douglas, *Li Hungchang* (London, 1895); W. W. Rockhill, *China's Intercourse with Korea from the XVth Century to 1895* (London, 1905); *Ibid., Treaties and Conventions with or Concerning China and Korea,* 1894–1904 (Washington, 1904); S. Takahashi, *Cases on International Law During the Chino-Japanese War* (Cambridge, 1899); H. B. Morse, *International Relations,* Vol. II, Chap. XIX, Vol. III, Chaps. I, II.

# CHAPTER XIII

## THE IMPENDING BREAK-UP AND THE OUTBREAK IN CHINA, 1896–1901

### *Section 55. The "Battle of the Concessions"*

The Treaty of Shimonoseki was ratified on May 8, 1895. When Li Hung-Chang signed the treaty with Japan, he without doubt knew that Russia had determined not to permit Japan to hold the Liaotung peninsula.

EMPEROR KUANG HSÜ

Attention was called afterward to the fact that Li displayed no noticeable emotion over the agreement regarding Manchuria that Japan demanded. On May 5, 1895, the joint demands of Russia, Germany, and France, that Japan should give up her hold on the mainland of Asia and take in exchange an increased indemnity, were acceded to by Japan. Thus the policy so long used by Li, of pitting the powers against each other, was again triumphantly applied. Nevertheless the emperor Kuang Hsü* "received him almost brutally on his return from Japan, compelling the aged viceroy to approach the throne on his knees."

The ceremonial coronation of the czar Nicholas II was set for June 2, 1896, at Moscow. China was invited to send an imperial prince to be present at the ceremonies. It was decided, however, to send Viceroy Li as special envoy and ambassador extraordinary. It has been suggested that it was with purpose to remove Li from the dangers of court conspiracies that he was chosen.† More likely, it was because of his diplomatic experience.

Li left Peking on March 8, 1896, traveling via Suez, arriving in Odessa on April 27. He returned to China by way of America after visiting several of the European courts, and the American capital. The following account of the Chinese representative's visit to Russia and its important results is given by Count Sergius Witte, Minister of Finance, and Premier of Russia, whose memoirs have only recently been published.

**323. Li Hung-chang's visit to Russia: the secret pact**

Toward the end of the reign of Alexander III, relations between Japan and China became extremely strained, and finally war broke out between the two countries. At that

* Bland, *Li Hung Chang*, p. 182.

† *Ibid.*

time we had but few troops in the Far East. Our detachments stationed at Vladivostok were moved to Kirin for fear that military operations might spread northward and affect Russian possessions or interests. That was the only step we took. The war ended in Japan's complete victory. By the peace of Shimonoseki (1895), as is known, the Japanese acquired the Peninsula of Liaotung, including the harbours of Ing-Kow and Port Arthur, and secured various other advantages.

With the exception of two serious misunderstandings, good neighbourly relations have existed between China and Russia for the past two and a half centuries. This traditional friendship found expression in connection with Japan's exactions at Shimonoseki. In those years very few statesmen in Russia had a clear notion about Korea, Japan, and, especially, China and their mutual relations. Prince Lobanov-Rostovski, Foreign Minister, knew no more about the Far East than the average schoolboy. Inasmuch as I was in charge of the construction of the Trans-Siberian Railway, I gave a good deal of attention to Far Eastern affairs. In fact, I was the only Russian statesman familiar with the economic and political situation in that region.

The peace of Shimonoseki was justly regarded with alarm. It gave Japan a footing on the Continent, in the neighbourhood of our own sphere of interest. Emperor Nicholas, who had in the meantime ascended the throne, was anxious to spread Russian influence in the Far East. Not that he had a definite program of conquest. He was merely possessed by an unreasoned desire to seize Far-Eastern lands. As for myself, I clearly saw that it was to Russia's best interests to have as its neighbour a strong but passive China, and that therein lay the assurance of Russia's safety in the East. Therefore, it appeared obvious to me that it was imperative not to allow Japan to penetrate into the very heart of China and secure a footing in the Liao-tung peninsula, which to a certain extent occupies a dominating position. Accordingly, I insisted on the necessity of thwarting the execution of the peace treaty between Japan and China. To discuss the matter a conference was called by His Majesty under the presidency of Admiral-General Grand Duke Alexey Alexandrovich. At this conference I advocated the principle of the integrity of the Chinese Empire. Russia's best interests demanded, I pointed out, that China remain unchanged and that no power be allowed to increase its territorial possessions at China's expense. I was supported by Minister Vannovski. Obruchev's attitude was rather indifferent, for he was exclusively interested in military possibilities in the West. The other members of the conference expressed no definite opinion.

When we came to discuss the practical ways and means whereby the policy I had recommended could be carried out, I proposed to present to Japan an ultimatum to the effect that we could not suffer her to violate the principle of the unity and territorial integrity of the Chinese Empire and that we could not, therefore, agree to the treaty concluded between Japan and China. I suggested that we ought to permit Japan, as the victorious nation, to recover her war expenditures by imposing a more or less considerable indemnity upon China. Should Japan fail to comply with our demands, there was no other course left to us, I said, than to open active operations. I did not explain the exact nature of the measures which I proposed to take, but it was my opinion that we might go as far as bombarding some of the Japanese ports. Although I clearly formulated my policy and made definite recommendations as to the practical means for its execution, the conference ended in nothing, for all the while Prince Lobanov-Rostovski held his peace.

Thereupon the Emperor called a conference under his own presidency, to which he invited only General Vannovski, Prince Lobanov-Rostovski, Grand Duke Alexey Alexandrovich and myself. In the presence of His Majesty I reiterated my opinion and, as it met practically no opposition, the Emperor accepted my suggestions. This special committee on Sino-Japanese affairs reached the following conclusions on March 30, 1895:

(1)—To seek to preserve the *status quo ante bellum* in northern China and in pursuance of this to advise Japan, at first amicably, to desist from the occupation of Southern Manchuria, for such an occupation would injure our interests and would be a constant menace to the peace of the Far East; in case of Japan's refusal to follow our advice, to declare to the Japanese Government that we reserve to ourselves freedom of action and that we shall act in accordance with our interests.

(2)—To issue an official statement to the European Powers and to China to the effect that, while on our part we do not seek any seizures, we deem it necessary, for the protection of our interests, to insist on Japan's desisting from the occupation of southern Manchuria.

His Majesty instructed our Foreign Minister to carry out this program. Prince Lobanov-Rostovski must be given credit for the skill with which he acquitted himself of his task. He immediately secured the agreement of Germany and France to Russia's demand, whereupon he hastened to send our ultimatum to Japan. The latter was forced to accept it, and instead of the Liaotung peninsula she demanded and obtained an indemnity.

Simultaneously, I entered into negotiations with China and offered her our services for the conclusion of the large loan which she needed in order to pay the Japanese indemnity. As China's credit was not sufficient to enable her to contract the loan, I agreed to pledge Russia's resources as security for the Chinese loan. Furthermore, I took practically complete charge of negotiating and arranging for the transaction on the French money market. The banking firms which took part in floating the loan included Banque de Paris, Banque des Pays Bas, Crédit Lyonnais, and the Hotenger house. The representatives of these banks secured my promise to help them in their financial activities in China in return for the service they had done me in connection with the loan to China.

As a result I founded the Russo-Chinese Bank, in which the French financiers were the chief shareholders. At first, the Chinese government and also our Treasury invested heavily in the institution, but lately our interest in it had been practically negligible. After the wretched Russo-Japanese War we lost our prestige in China and the bank began to decline. Recently it was merged with the Northern Bank, the combination being known as the Russo-Asiatic Bank.

Li Hung Chang was sent to Russia as China's Ambassador Extraordinary. He had been Governor-General of the Province of Chi Li and at the time of his appointment occupied the post of First Chancellor, the most exalted office in the Empire. It seemed fantastic that the first dignitary of China should be sent as an emissary to a foreign sovereign and the unprecedented event caused a sensation. The distinguished envoy arrived in St. Petersburg on April 18 (30), 1896, three weeks before the coronation solemnities. By sending such a high dignitary to witness this ceremony the Chinese wished to express their gratitude to our youthful Emperor for all his benefactions to the Chinese Empire.

In the meantime the great Trans-Siberian Railway, which was under construction, had reached Transbaikalia and the question arose as to the further direction which the railroad should follow. I conceived the idea of building the road straight across Chinese territory, principally Mongolia and northern Manchuria, on toward Vladivostok. This direction, I calculated, would considerably shorten the line and facilitate its construction. Considering the enormous mileage of the Trans-Siberian, it was natural to seek to shorten the route. Technically the Amur section presented great difficulties. Besides, the road would run along the Amur River and would thus compete with the Amur steamship companies. The Manchurian route would save 514 versts. In comparison to the Amur region this section also possessed the advantage

of a more productive soil and a more favorable climate. The problem was how to get China's permission for this plan, by peaceful means based on mutual commercial interests. The idea appealed to me strongly and I found occasion to draw His Majesty's attention to it. The court physician, Badmayev, a Buriat by birth, who wielded a considerable influence over the Emperor, on the contrary, stood for the Kyakhta-Peking direction. I could not sympathize with his project, first, because I considered Vladivostok as the most desirable terminus for the Trans-Siberian, and, second, because I believed that a railroad to Peking would arouse the whole of Europe against us. It must be borne in mind that the great originator of the Trans-Siberian had no political or military designs in connection with the road. It was an enterprise of a purely economic nature. Alexander III wished to establish communication by the shortest possible route between the distant Maritime Province and Central Russia. Strategically, both Alexander III and his successor attributed a strictly defensive importance to the road. Under no circumstance was the Trans-Siberian to serve as a means for territorial expansion.

When Li Hung Chang, on his journey reached the Suez Canal, he was met by Prince Ukhtomski, at that time one of the Emperor's intimates. This was done at my instance. It had come to my knowledge that England, Germany and Austria were eager to decoy Li Hung Chang and that they wanted him to go to St. Petersburg through western Europe. I, on the contrary, desired to prevent him from visiting any other European country before his arrival in Russia, for it was clear to me that while in Europe Li Hung Chang was bound to become the object of various intrigues on the part of the European statesmen.

Prince Ukhtomski met the Chinese dignitary and apparently succeeded in establishing cordial relations with him. In spite of the fact that Li Hung Chang was showered with invitations to various European ports, he boarded the *Rossiya*, a steamer of the Russian Steamship and Commerce Corporation, specially prepared by us for the purpose, and proceeded straight to Odessa, accompanied by his retinue and Prince Ukhtomski. In that city he was given an honorary guard consisting of a detachment of our troops. At my instance he was allowed to go directly to St. Petersburg, although Prince Lobanov-Rostovsky was of the opinion that Li Hung Chang should be kept waiting for the coronation at Odessa. Inasmuch as our Minister of Foreign Affairs was entirely ignorant of our Far Eastern policy, I was empowered by His Majesty to conduct the negotiations with our Chinese guest.

The elaborate behavior of Li Hung-chang

I was told that in conducting negotiations with Chinese officials it was necessary, above all, not to show any haste, for they consider that very bad taste, and business must be transacted slowly and ceremonially. Li Hung Chang was the first to pay me a visit in my capacity of Minister of Finances. When he entered my reception room, I came out to meet him in my official uniform. We greeted each other and bowed. Then I led the way to a second reception room and ordered tea served. Tea was served with great and elaborate pomp. My guest and myself sat, while all the members of his retinue as well as my attendants remained standing. When we had taken our tea, I inquired of Li Hung Chang whether he did not want to smoke. He emitted a sound not unlike the neighing of a horse. Immediately two Chinamen came running from the adjacent room, one carrying a narghile and the other tobacco. Then began the ceremony of smoking, Li Hung Chang sat quietly inhaling and exhaling the smoke, while his attendants with great awe lighted the narghile, held the pipe, took it out from his mouth and put it back. It was apparent that Li Hung Chang wanted to impress me with all these solemn ceremonies. On my part, I made believe that I did not pay the slightest attention to all these proceedings.

Of course, during the first visit no attempt was made to talk business. Li Hung Chang kept on inquiring about the health of His Imperial Majesty, Her Imperial Majesty, and each of their children, while I evinced a profound interest in the state of health of the Chinese Emperor, his mother and all their nearest relatives. Our next meeting was of a different nature. Seeing that the elaborated ceremonies made no impression upon me, he gave them up and became less formal in his intercourse with me. Afterwards, during the coronation days in Moscow, we met without the slightest display of pomp, and he was quite outspoken and business-like. I hold a very high opinion of him. During the active period of my life I had occasion to come in contact with a great many statesmen whose names will forever remain in history. His intelligence and common sense give Li Hung Chang a prominent place among those men. In recent Chinese history his importance is very great. For many years he was practically the ruler of that vast empire.

In my conferences with Li Hung Chang I dwelt on the services which we had recently done to his country. I assured him that, having proclaimed the principle of China's territorial integrity, we intended to adhere to it in the future; but, to be able to uphold this principle, I argued, we must be in a position, in case of emergency, to render China armed assistance. Such aid we would not be able to render her

until both European Russia and Vladivostok were connected with China by rail, our armed forces being concentrated in European Russia. I called to his attention the fact that although during China's war with Japan we did dispatch some detachments from Vladivostok, they moved so slowly, because of the absence of railroad communication, that when they reached Kirin the war was over. Thus I argued that to uphold the territorial integrity of the Chinese Empire, it was necessary for us to have a railroad running along the shortest possible route to Vladivostok, across the northern part of Mongolia and Manchuria. I also pointed out to Li Hung Chang that the projected railway would raise the productivity of our possessions and the Chinese territories it would cross. Finally, I declared, Japan was likely to assume a favorable attitude toward the road, for it would link her with Western Europe, whose civilization she had lately adopted.

Naturally enough, Li Hung Chang raised objections. Nevertheless, I gathered from my talks with him that he would agree to my proposal if he were certain that our Emperor wished it. Therefore, I asked His Majesty to receive Li Hung Chang, which the Emperor did. It was practically a private audience and it passed unnoticed by the press. As a result of my negotiations with the Chinese stateman, we agreed on the following three provisions of a secret pact to be concluded between Russia and China.

(1) The Chinese Empire grants us permission to build a railroad within its territory along a straight line between Chita and Vladivostok, but the road must be in the hands of a private corporation. Li Hung Chang absolutely refused to accept my proposal that the road should be either constructed or owned by the Treasury. For that reason we were forced to form a private corporation, the so-called Eastern Chinese Railroad Corporation. This body is, of course, completely in the hands of the Government, but since nominally it is a private corporation, it is within the jurisdiction of the Ministry of Finances.

(2) China agrees to cede us a strip of land sufficient for the construction and operation of the railway. Within that territory the corporation is permitted to have its own police and to exercise full and untrammeled authority. China takes upon herself no responsibilities with regard to the construction or operation of the road.

(3) The two countries obligate themselves to defend each other in case Japan attacks the territory of China or our Far-Eastern maritime possessions.

I reported the results of my negotiations to His Majesty and he instructed me to take up the matter with the Foreign

Minister. I explained to Prince Lobanov-Rostovski that I had come to an oral agreement with Li Hung Chang regarding the provisions of a secret Russo-Chinese pact, and that the only thing left now was to embody the agreement in a formal written instrument. After listening to my statement of the terms of the agreement, the Prince took a pen and wrote the text of the treaty. The document was drafted so skillfully that I approved it without the slightest reservation. The prince told me that the following day he would submit the document to His Majesty and return it to me if it was approved by the Emperor.

When the text of the treaty came back to me, I discovered, to my great surprise, a substantial alteration in the paragraph dealing with the Russo-Chinese union against Japan. The words *par le Japon* (by Japan) were missing from the text. In its altered version the pact provided for the mutual defence of the two countries in the event of an attack upon either of them not by Japan alone, but by any other Power. I was actually frightened. The alteration was of momentous importance. A defensive alliance against all the other Powers was quite different from such an alliance against Japan. Several European Powers, including France, our ally, and England, have interests in China, and to obligate ourselves to defend China from all those countries meant to arouse them all against us and to invite no end of trouble.

I immediately went to see the Emperor and laid the matter before him. He instructed me to ask Prince Lobanov-Rostovski to make the necessary correction in the text of the agreement. The situation was very delicate. I was much younger than the Foreign Minister and much below him in official rank. For me to correct what he had done was to affront him and arouse him against me. I made known my apprehensions to His Majesty and asked him personally to take up the matter with the Prince. He agreed. Soon afterwards we all went to Moscow to attend the solemnities of the coronation.

The Russo-Chinese Alliance

In Moscow I devoted much time and attention to Li Hung Chang, for I considered it a matter of primary importance to the state to bring our negotiations to a successful consummation. The Russo-Chinese alliance meant two things: first, a great railroad extending as far as Vladivostok on a straight line without curving northward along the Amur River; and second, firmly established peaceful relations with our neighbour, the Chinese Colossus.

The Emperor assured me that he had spoken to the Foreign Minister and that the latter had promised to restore the original version of the treaty. His majesty spoke so definitely that no doubts were left in my mind on the subject.

After this I met Prince Lobanov-Rostovski several times, but neither of us referred to the matter.

In the meantime I continued my negotiations with Li Hung Chang to the end of inducing the Chinese Government to grant the concession for the construction of the Eastern Chinese section of the Trans-Siberian to the Russo-Chinese Bank, which was already functioning. At the same time I prepared an agreement with this Bank, whereby it ceded the concession to the Eastern Chinese Railroad Corporation soon to be formed by the Russian Government.

**A diplomatic blunder narrowly averted**

Finally, we set the day for the signing of the secret agreement, the signatories on the Russian side being Prince Lobanov-Rostovski and myself, and on the Chinese side Li Hung Chang, who had received instructions directly from Peking. It was agreed that we would meet in the office of the Foreign Ministry and there sign the document with all the formalities prescribed by law and etiquette. On the appointed day the Russian plenipotentiaries with the officials attached to them and Li Hung Chang with his retinue gathered in the office of the Ministry and were seated around a table. Prince Lobanov-Rostovski opened the session and declared that both sides were familiar with the text of the agreement, that the instrument had now been carefully copied by the secretaries and that it could be signed without reading. Nevertheless, he said, he was perfectly willing to let the Chinese re-read the document, if they so wished. Accordingly a copy of the agreement—the document was to be signed in duplicate—was handed to Li Hung Chang's assistants. I took the other one and began to scan it, suspecting no evil. Suddenly, to my horror, I noticed that the paragraph relating to our defensive alliance with China had not been changed, notwithstanding His Majesty's assurance, and that, unlike my version, it provided for an obligation on our part to defend China from an attack by any Power.

I approached Prince Lobanov-Rostovski, called him aside and whispered in his ear that the provision regarding the defensive alliance had not been changed in accordance with His Majesty's will. "My God!" he exclaimed, striking his forehead, "I clear forgot to tell my secretary to insert that paragraph in its original wording." Nevertheless, he was not in the least taken aback. He looked at his watch. It was a quarter past twelve. He clapped several times to call the servants and said, turning to the gatherings: "It is past noon. Let's take luncheon. We will sign the agreement afterwards."

We all went to have luncheon, except the two secretaries, who, while we were lunching, copied the document and made the necessary corrections. These new copies were quietly

substituded for the ones which had been circulated before luncheon and were duly signed by Li Hung Chang, on one side, and by Prince Lobanov-Rostovski and myself, on the other.

The agreement was an act of the highest importance. Had we faithfully observed it, we would have been spared the disgrace of the Japanese war and we would have secured a firm foothold in the Far East. . . . It was an act in which treachery and giddy-headedness were curiously mingled.

The agreement was ratified without further delay by both the Chinese and our Emperor. This agreement was to serve as a basis for our relations with China and for our status in the Far East generally. . . .

Secrecy maintained

Not the slightest information penetrated into the press regarding our secret agreement with China. The only thing Europe learned was the bare fact that China had agreed to grant the Russo-Chinese Bank a concession for the construction of the Eastern Chinese Railway, a continuation of the Trans-Siberian. The concession was drawn up under my instructions by the Assistant Minister of Finances, Piotr Mikhailovich Romanov, in consultation with the Chinese Minister in St. Petersburg, who was also China's envoy to Berlin. Winter and spring he usually spent in St. Petersburg, while the rest of the year he stayed in Berlin. Since it was then summer-time, Romanov went to Berlin and it was there that the terms of the concession were drafted. The project was subsequently ratified by the two contracting governments. At the time it was rumored in Europe, I remember, that Li Hung Chang had been bribed by the Russian Government. I must say that there is not a particle of truth in this rumor.

The terms of the railroad concession granted by China were very favorable for Russia. The agreement provided for China's right to redeem the road at the expiration of thirty-six years, but the terms of the redemption were so burdensome that it was highly improbable that the Chinese Government would ever attempt to effect the redemption. It was calculated that should the Chinese Government wish to redeem the road at the beginning of the thirty-seventh year, it would have to pay the corporation, according to the terms of the concession, a sum not less than 700 million rubles.

Advice of Li Hung-chang

In his informal talks with me Li Hung Chang reiterated that, as Russia's friend, he advised us not to go south of the line along which the Trans-Siberian Railroad was to run. Any movement southward on our part, he assured me, might result in vast and unexpected perturbations which would be disastrous both for Russia and China. In the interior of the country, he said, the ignorant masses regard every

white as an enemy. . . . I mention this to show what an eminently sane statesman was Li Hung Chang, this representative of what to the Europeans appeared to be a semi-civilized people.

In those days the young Emperor carried in himself the seeds of the best that the human mind and heart possess, and I did not judge it necessary to report to him Li Hung Chang's advice. I was certain that, in concluding the secret agreement with China, the Emperor pursued exclusively peaceful designs. . . .

As the European powers planned during the latter part of the nineteenth century to divide the possessions of the "Sick Man of the Near East" so were they planning to deal with the possessions of the "Sick Man of the Far East." Germany watched Russia's growing interest in Korea and early in the year 1897 announced her intention of acquiring a naval station in China. During that year, German ships carried on surveying expeditions along the China coast. Fortunately for Germany's schemes two Roman Catholic missionary priests were murdered in Shantung on November 1 of that year. Four days after the murder became known Germany landed a small force and seized the port of Tsingtau, on Kiaochow Bay.

On March 6, 1898, after protracted negotiations between China and Germany the Kiaochow Convention, and the Railway and Mining Concession were signed. The former is printed below.

**324. The Kiaochow Convention**

ART. I.—His Majesty the Emperor of China, being desirous of preserving the existing good relations with His Majesty the Emperor of Germany, and of promoting an increase of German power and influence in the Far East, sanctions the acquirement under lease by Germany of the land extending for 100 *li*, at high tide (at Kiaochow).

His Majesty the Emperor of China is willing that German troops should take possession of the above-mentioned territory at any time the Emperor of Germany chooses. China retains her sovereignty over this territory, and should she at any time wish to enact laws or carry out plans within the leased area, she shall be at liberty to enter into negotiations

with Germany with reference thereto; provided always that such laws or plans shall not be prejudicial to German interests. Germany may engage in works for the public benefit, such as water works, within the territory covered by the lease, without reference to China. Should China wish to march troops or establish garrisons therein she can only do so after negotiating with and obtaining the express permission of Germany.

ART. II.—His Majesty the Emperor of Germany, being desirous like the rulers of certain other countries, of establishing a naval and coaling station and constructing dockyards on the coast of China, the Emperor of China agrees to lease to him for the purpose all the land on the southern and northern sides of Kiaochow Bay for a term of ninety-nine years. Germany is to be at liberty to erect forts on this land for the defence of her possessions therein.

ART. III.—During the continuance of the lease China shall have no voice in the government or administration of the leased territory. It will be governed and administered during the whole term of ninety-nine years solely by Germany, so that the possibility of friction between the two Powers may be reduced to the smallest magnitude. The lease covers the following districts:—

(*a*)—All the land in the north-east of Lienhan, adjacent to the north-eastern mouth of the Bay, within a straight line drawn from the north-eastern corner of Yintao to Laoshanwan.

(*b*)—All the land in the south-west of Lienhan, adjacent to the southern mouth of the Bay, within a straight line drawn from a point on the shore of the Bay, bearing south-west by south from the Tsi-pe-shan-to.

(*c*)—Tsi-pe-shan-to and Yintao.

(*d*)—The whole area of the Bay of Kiaochow covered at high-water.

(*e*)—Certain islands at the entrance of the Bay which are ceded for the purpose of erecting forts for the defence of the German possessions. The boundaries of the leased territory shall hereafter be more exactly defined by a commission appointed jointly by the Chinese and German Governments, and consisting of Chinese and German subjects. Chinese ships of war and merchant-ships, and ships of war and merchant ships of countries having treaties and in a state of amity with China shall receive equal treatment with German ships of war and merchant ships in Kiaochow Bay during the continuance of the lease. Germany is at liberty to enact any regulations she desires for the government of the territory and harbour, provided such regulations apply impartially to the ships of all nations, Germany and China included.

ART. IV.—Germany shall be at liberty to erect whatever light houses, beacons, and other aids to navigation she chooses within the territory leased, and along the islands and coast approaching the entrance to the harbour. Vessels of China and vessels of other countries entering the harbour shall be liable to special duties for the repair and maintenance of all light-houses, beacons and other aids to navigation which Germany may erect and establish. Chinese vessels shall be exempt from other special duties.

ART. V.—Should Germany desire to give up her interest in the leased territory before the expiration of ninety-nine years, China shall take over the whole area, and pay Germany for whatever German property may at the times of surrender be there situated. In cases of such surrender taking place Germany shall be at liberty to lease some other point along the coast. Germany shall not cede the territory leased to any other Power than China. Chinese subjects shall be allowed to live in the territory leased, under the protection of the German authorities, and there carry on their avocations and business as long as they conduct themselves as peaceable and law-abiding citizens. Germany shall pay a reasonable price to the native proprietors for whatever lands her Government or subjects require. Fugitive Chinese criminals taking refuge in the leased territory shall be arrested and surrendered to the Chinese authorities for trial and punishment, upon application to the German authorities, but the Chinese authorities shall not be at liberty to send agents into the leased territory to make arrests. The German authorities shall not interfere with the *likin* stations outside but adjacent to the territory.

While Germany was laying its plans and making all preparations for the seizure of a station on the China coast Russian officials were considering the seizure of Port Arthur and Talienwan in the Liaotung peninsula which Japan had been warned from taking. Another selection from the memoirs of Count Witte describes the steps by which the czar was brought to agree to this, and the feelings of Count Witte on the subject.

325. Russia's decision to take Port Arthur and Talienwan

Early in November,* several Ministers, including myself, received a memorandum drawn up by Count Muraviov. It

* 1897.

pointed out that the occupation of Kiao-Chow by the Germans offered a favorable occasion for us to seize one of the Chinese ports, notably Port Arthur or the adjacent Ta-lieng-wan. After a while we received an invitation to a conference called for the specific purpose of taking up Count Muraviov's suggestion. The conference was presided over by His Majesty himself and was attended, besides the author of the memorandum and myself, by the War Minister, Vannovski, and the Director of the Naval Ministry, Tyrtov.

Russia's reasons

Count Muraviov declared that Russia needed a Pacific port in the Far East and that the moment was opportune for the occupation, or, more correctly, the seizure of Port Arthur or Ta-lieng-wan. He pointed out that these ports had an enormous strategical importance. I indignantly protested against this measure. I reminded my hearers that we had declared the principle of China's territorial integrity and that on the strength of that principle we forced Japan to withdraw from the Liaotung peninsula, which comprises Port Arthur and Ta-lieng-wan. I further pointed to the fact that we had concluded a secret defensive alliance with China, thus obligating ourselves to defend her from Japan's encroachments upon her territory. . . . I called the attention of the conference to the fact that we were engaged in building a railroad on Chinese territory and that our step would arouse the country against us, thus endangering the railroad construction. Besides, the occupied ports, I said, would have to be connected by rail with the trunk line, which circumstance would drag us into complications likely to have disastrous results.

Count Witte's arguments against Russia's plan

Minister of War Vannovski staunchly supported Count Muraviov. The Navy Minister declared that a port on the Korean coast, nearer to the open ocean, would be preferable to either Port Arthur or Ta-lieng-wan. My arguments did not have any effect upon either Vannovski or Muraviov, but the Emperor was visibly impressed by my heated denunciation of the project and he refused to sanction the plan of occupation.

The czar's consent

Several days afterward, I had an audience with His Majesty. "You know, Sergy Yulievich," said the Emperor to me, evidently somewhat put out, "I have decided to occupy Port Arthur and Ta-lieng-wan. Our ships with troops are already on their way there. Here is why I have taken this step. After the conference the Foreign Minister reported to me that, according to his information, British warships were cruising off the ports in question and that if we did not occupy them, the English would do so." Muraviov's information was, of course, false, as I later found out from the British Ambassador.

The news greatly upset me. On leaving the Emperor's study I met Grand Duke Alexander Mikhailovich. He was *au courant* of the developments in the Far East. "Your Highness," I said, "remember this day: this fatal step will have disastrous results." . . .

In the early part of December, 1897, a squadron of our warships occupied Port Arthur and Ta-lieng-wan. This, as I have said, took place in consequence of the Foreign Minister's report to the effect that if we failed to occupy these seaports, they would be occupied by the English.

Foreseeing all the disastrous consequences of the decision which His Majesty had taken, I did not give in and continued to advocate withdrawal from Port Arthur. In this connection I had several sharp explanations with the Minister of Foreign Affairs. As a result, my relations with Count Muraviov became strained and remained so until his very death. All my efforts were in vain. It was natural for the young Emperor to follow the advice of his Foreign Minister and Minister of War, which was in agreement with his own thirst for military glory and conquests. . . .

Bribery of Chinese officials

On the 1st of January, 1898, General Alexey Nikolaievich Kuropatkin was appointed Director of the Ministry of War, supplanting Vannovski. I hoped that the new War Minister would adopt my policy and that we would withdraw from Port Arthur. My hope was vain. At a conference . . . the General showed himself entirely opposed to my views. The demands upon China, he said, were to include not alone the cession of Port Arthur and Ta-lieng-wan, but also that part of the Liao-tung peninsula which is known as the Kwantung Province. This he considered to be a strategic necessity. . . .

The Chinese Government was reluctant to comply with our demands. The Empress Regent, together with the young Chinese Emperor, had gone to her summer residence, in the vicinity of Peking. Under the influence of English and Japanese diplomats, she obstinately refused to make any concessions. Seeing that under the circumstances, should we fail to reach an agreement with China, bloodshed was likely to take place, I wired to the agent of my Ministry in Peking to see Li Hung Chang and Chang Ing Huan, another high official, and to advise them in my name to come to terms with us. I instructed the agent to offer these two statesmen valuable presents amounting to 500,000 and 250,000 rubles respectively. This was the first time I resorted to bribing in my negotiations with Chinamen.

Largely under the influence of the fact that a number of our warships, cleared for action, lay off Port Arthur, the two statesmen went to the Empress intent on persuading her

to yield Finally, the Empress consented to sign the agreement. This came as a pleasant surprise to His Majesty. The agreement was signed on March 15, 1898, by Li Hung Chang and Chang Ing Huan, on the one hand, and our Chargé d'affaires, on the other. The act was a violation of our traditional relations with the Chinese Empire. . . . It was a fatal step, which eventually brought about the unhappy Japanese War and the subsequent revolution. On the other hand, the Chinese Empire is tottering and, out of the civil war now raging a republic is bound to arise. The fall of the Chinese Empire will produce an upheaval . . . for many years to come.

Russian ships of war arrived at Port Arthur within a week after the German seizure of Tsingtau. The *North-China Herald* of January 14, 1898, said: "It is reported from Peking that the Grand Council has informed the viceroys and governors, in answer to many protests, that China cannot resist the rumoured intention of Russia to seize Port Arthur."* Two conventions signed at Peking on March 27, and at St. Petersburg on May 7, 1898, ceded by lease Port Arthur and Talienwan with certain other territories near by and adjacent waters and islands for a period of twenty-five years to Russia. The two ports were occupied by Russian forces on March 28.

326. Port Arthur and Talienwan Agreement

ART. I.—It being necessary for the due protection of her navy in the waters of North China that Russia should possess a station she can defend, the Emperor of China agrees to lease to Russia Port Arthur and Talienwan, together with the adjacent seas, but on the understanding that such lease shall not prejudice China's sovereignty over this territory.

ART. II.—The limits of the territory thus leased, for the reasons above stated, as well as the extent of territory north of Talienwan necessary for the defence of that now leased, and what shall be allowed to be leased shall be strictly defined and all details necessary to the carrying out of this treaty be arranged at St. Petersburg with Hsü Tajên so soon

* Quoted by H. B. Morse, *International Relations*, Vol. III, p. 111.

as possible after the signature of the present treaty, and embodied in a separate treaty. Once these limits have been determined, all land held by Chinese within such limits, as well as the adjacent waters, shall be held by Russia alone on lease.

ART. III.—The duration of the lease shall be 25 years from the day this treaty is signed, but may be extended by mutual agreement between Russia and China.

ART. IV.—The control of all military forces in the territory leased by Russia and of all naval forces in the adjacent seas, as well as of the civil officials in it, shall be vested in one high Russian official, who shall, however, be designated by some title other than Governor-General (Tsung-tu) or Governor (Hsün-fu). All Chinese military forces shall, without exception, be withdrawn from the territory, but it shall remain optional with the ordinary Chinese inhabitants either to remain or to go, and no coercion shall be used towards them in this matter. Should they remain, any Chinese charged with a criminal offence shall be handed over to the nearest Chinese official to be dealt with according to Art. VIII of the Russo-Chinese treaty of 1860.

ART. V.—To the north of the territory leased shall be a zone, the extent of which shall be arranged at St. Petersburg between Hsü Tajên and the Russian Foreign Office. Jurisdiction over this zone shall be vested in China, but China may not quarter troops in it except with the previous consent of Russia.

ART. VI.—The two nations agree that Port Arthur shall be a naval port for the sole use of Russian and Chinese men-of-war, and be considered as an unopened port so far as the naval and mercantile vessels are concerned. As regards Talienwan, one portion of the harbour shall be reserved exclusively for Russian and Chinese men-of-war, just like Port Arthur, but the remainder shall be a commercial port freely open to the merchant vessels of all countries.

ART. VII.—Port Arthur and Talienwan are the points in the territory leased most important for Russian military purposes. Russia shall, therefore, be at liberty to erect, at her own expense, forts and build barracks and provide defences at such places as she desires.

ART. VIII.—China agrees that the procedure sanctioned in 1896 regarding the construction of railroads by the board of the Eastern China Railway shall, from the date of the signature of this treaty, be extended so as to include the construction of a branch line to Talienwan, or, if necessary, in view of the interests involved, of a branch line to the most suitable point on the coast between Newchwang and the Yalu River. Further, the agreement entered into in Septem-

ber, 1896, between the Chinese Government and the Russo-Chinese Bank shall apply with equal strength to this branch line. The direction of this branch line and the places it shall touch shall be arranged between Hsü Tajên and the board of the Eastern Railroads. The construction of this line shall never, however, be made a ground for encroaching on the sovereignty and integrity of China.

ART. IX.—This treaty shall take full force and effect from the date it is signed, but the ratifications shall be exchanged in St. Petersburg.

Signed, March 27, 1898.

France was exceedingly interested in the encroachments of Russia and Germany in the north. Fifteen days after the Russian forces entered Port Arthur and Talienwan the French Minister in Peking informed M. Hanotaux, the French Minister of Foreign Affairs, that China had agreed to the lease for ninety-nine years of the Bay of Kwangchow (Kwangchow-wan) with its dependencies. The French assumed charge there on April 22.

England was opposed to the disintegration of the Chinese empire, but was powerless, unless she resorted to actual warfare, to avert the changes. England's policy from the period of the Treaty of Nanking had always been opposed to "paramount interests" of any country: her policy was one of equal opportunities for all. A month before the cession of the Liaotung territories to Russia, one of the Chinese ministers intimated to the British envoy at Peking that China would not be averse to leasing Weihaiwei to England if England would care for that. At first this offer was refused, but shortly after, on account of the danger of Russian pressure on Peking, the British government announced its wish to obtain a lease of Weihaiwei similar to Russia's lease of Port Arthur. The lease was signed on July 1, 1898.

327. Convention for the lease of Weihaiwei, 1898

In order to provide Great Britain with a suitable naval harbour in North China, and for the better protection of

British commerce in the neighbouring seas, the Government of His Majesty the Emperor of China agrees to lease to the Government of Her Majesty the Queen of Great Britain and Ireland Weihaiwei in the province of Shantung and the adjacent waters, for so long a period as Port Arthur shall remain in the occupation of Russia.

The territory leased shall comprise the island of Liu Kung and all other islands in the Bay of Weihaiwei, and a belt of land ten English miles wide along the entire coast line of the Bay of Weihaiwei. Within the above-mentioned territory leased Great Britain shall have sole jurisdiction.

Great Britain shall have in addition the right to erect fortifications, station troops, or take any other measures necessary for defensive purposes, at any points on or near the coast of the region east of the meridian one hundred and twenty-one degrees, forty minutes east of Greenwich, and to acquire on equitable compensation within that territory such sites as may be necessary for water supply, communications and hospitals. Within that zone Chinese administration will not be interfered with, but no troops other than Chinese or British shall be allowed therein.

It is also agreed that within the walled city of Weihaiwei Chinese Officials shall continue to exercise jurisdiction except so far as may be inconsistent with naval and military requirements for the defence of the territory leased.

It is further agreed that Chinese vessels of war whether neutral or otherwise shall retain the right to use the waters herein leased to Great Britain.

It is further understood that there will be no expropriation or expulsion of the inhabitants of the territory herein specified, and that if land is required for fortifications, public offices or any official or public purpose, it shall be bought at a fair price. . . .

### *Section 57. The Hay Doctrine of the "Open Door"*

America, during the years 1898 and 1899, had taken little part in affairs in China. Opposed as she was to an aggressive policy in China by the European powers, she nevertheless was too busily engaged in the war with Spain, and later with an insurrection in the Philippines, to show active interest in China. America, like England, desired to see carried out by all nations having relations with China a policy of equal opportunity for all. The "spheres of

influence" marked out were distinctly repugnant to her. Accordingly, Mr. John Hay, American Secretary of State, sent notes to the ambassadors of the United States to England, France, Germany, and Russia on September 6, 1899, and to the ambassadors to Japan and Italy on November 13, and November 17, respectively, in which were laid down the policy which has since been known as the Hay Policy of the "Open Door." Secretary Hay's note to Ambassador White at Berlin is given below. In this policy the commercial principle of equal opportunity is laid down and the powers are asked to declare their intention to respect the territorial integrity of China as well as that country's independence.

328. Secretary Hay to Ambassador White: the enunciation of the doctrine

Department of State,
Washington, September, 6, 1899.

SIR:

At the time when the Government of the United States was informed by that of Germany that it had leased from His Majesty the Emperor of China the port of Kiaochou and the adjacent territory in the province of Shantung, assurances were given to the Ambassador of the United States at Berlin by the Imperial German Minister for Foreign Affairs that the rights and privileges insured by treaties would not thereby suffer or be in anywise impaired within the area over which Germany had thus obtained control.

More recently, however, the British Government recognized by a formal agreement with Germany the exclusive right of the latter country to enjoy in said leased area and contiguous "sphere of influence or interest" certain privileges, more especially those relating to railroads and mining enterprises; but as the exact nature and extent of the rights thus recognized have not been clearly defined, it is possible that serious conflict of interests may at any time arise, not only between British and German subjects within said area, but that the interests of our citizens may also be jeopardized thereby.

Earnestly desirous to remove any cause of irritation and to insure at the same time to the commerce of all nations in China the undoubted benefits which should accrue from a formal recognition by the various Powers claiming "spheres

of interest" that they shall enjoy perfect equality of treatment for their commerce and navigation within such "spheres," the Government of the United States would be pleased to see His German Majesty's Government give formal assurances, and lend its co-operation in securing like assurances from the other interested Powers, that each within its respective sphere of whatever influence—

First. Will in no way interfere with any treaty port or any vested interest within any so-called "sphere of interest" or leased territory it may have in China.

Second. That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

Third. That it will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality, and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its own nationals transported over equal distances.

The liberal policy pursued by His Imperial German Majesty in declaring Kiao-chou a free port and in aiding the Chinese Government in the establishment there of a custom-house are so clearly in line with the proposition which this Government is anxious to see recognised that it entertains the strongest hope that Germany will give its acceptance and hearty support.

The recent Ukase of His Majesty the Emperor of Russia declaring the port of Ta-lien-wan open during the whole of the lease under which it is held from China to the merchant ships of all nations, coupled with the categorical assurances made to this Government by His Imperial Majesty's representative at this capital at the time, and since repeated to me by the present Russian Ambassador, seem to insure support of the Emperor to the proposed measure. Our Ambassador at the Court of St. Petersburg has in consequence been instructed to submit it to the Russian Government and to request their early consideration of it. A copy of my instruction on the subject to Mr. Tower is herewith enclosed for your confidential information.

The commercial interests of Great Britain and Japan will be so clearly served by the desired declaration of intentions, and the views of the Governments of these countries as to

the desirability of the adoption of measures insuring the benefits of equality of treatment of all foreign trade throughout China are so similar to those entertained by the United States, that their acceptance of the proposition herein outlined and their co-operation in advocating their adoption by the other Powers can be confidently expected. I enclose herewith copy of the instruction which I have sent to Mr. Choate on the subject.

In view of the present favorable conditions, you are instructed to submit the above considerations to His Imperial German Majesty's Minister of Foreign Affairs, and to request his early consideration of the subject.

Copy of this instruction is sent to our Ambassadors at London and at St. Petersburg for their information.

I have, &c.

JOHN HAY.

The principle of the "open door" was accepted by all the powers, some with certain explanations attached, others without reservations. "None of the three [Russia, Germany, France] manifested any intention of waiving any of the exclusive privileges in exploitation and development asserted for their subjects in their spheres of interest," says Morse. But the policy of the "open door" has remained an important principle, in theory at least, in Far Eastern relations from that day to this.

329. Count von Bülow to Ambassador White: an acceptance of the doctrine

Foreign Office,
Berlin, February 19, 1900.

MR. AMBASSADOR:

Your Excellency informed me, in a memorandum presented in the 24th of last month, that the Government of the United States of America has received satisfactory written replies from all the Powers to which an inquiry had been addressed similar to that contained in Your Excellency's note of September 26 last, in regard to the policy of the open door in China. While referring to this, Your Excellency thereupon expressed the wish that the Imperial Government would now also give its answer in writing.

Gladly complying with this wish, I have the honor to inform Your Excellency, repeating the statements already made verbally, as follows: As recognized by the Government of the United States of America, according to Your Excellency's note referred to above, the Imperial Government has, from the beginning, not only asserted, but also practically carried out to the fullest extent in its Chinese possessions absolute equality of treatment of all nations with regard to trade, navigation, and commerce. The Imperial Government entertains no thought of departing in the future from this principle, which at once excludes any prejudicial or disadvantageous commercial treatment of the citizens of the United States of America, so long as it is not forced to do so, on account of considerations of reciprocity, by a divergence from it by other governments. If, therefore, the other Powers interested in the industrial development of the Chinese Empire are willing to recognize the same principles, this can only be desired by the Imperial Government, which in this case upon being requested will gladly be ready to participate with the United States of America and the other Powers in an agreement made upon these lines, by which the same rights are reciprocally secured.

I avail myself, etc.

BÜLOW.

## *Section 58. The Reform Movement, and Its Interruption*

The occupant of the imperial throne of China at this time was Kuang Hsü, a nephew of the Empress Dowager who had crushed the Tsai Yuan conspiracy of 1861. Tz'ŭ Hsi (Yehonala) was in retirement at the Summer Palace a few miles outside of Peking.

The defeat of China by Japan encouraged ideas of reformation to spread gradually among many of the educated and official class. Kuang Hsü lent a ready ear to suggestions of reform, and for a time it seemed as if the country might really be "saved" by a second Peter the Great. Amongst the leaders of reform parties were Kang Yu-wei, Weng Tung-ho, and Pan Tsu-yin. Jung Lu, a personal friend of the Empress Dowager and

one of the highest officers in the empire, and Chang Chih-tung, Wuchang viceroy, were supporters of reform in 1898. The latter wrote an essay entitled *Learn*, which was translated and published in English under

*Li Ung Bing's "Outlines of Chinese History"*

CHANG CHIH-TUNG

the title of *China's Only Hope.* This essay was written in the purest classical style and was praised by the emperor himself as being beneficial to the scholars of the country. The viceroy in his introduction, summarized the five objects of learning. Part of the introduction is given here.

330. Summary of Chang Chih-tung's essay *Learn*

In olden times, Ch'u Chwang Wang made it his chief aim to exhort his people to diligence, and to caution his troops lest some catastrophe should suddenly befall his countrymen. In consequence of this, the kingdom of Ch'u became powerful, and the neighboring countries—Ts'i, Tsin, Ch'in, and Sung—were intimidated and held in check. An old saying runs: "If a man will not understand in what misfortune consists, disgrace is sure to follow; but if he will only face the difficulty, happiness will ensue."

In no period of China's history has there arisen an emergency like the present. It is a time of change, and His Imperial Highness the Emperor of China, has accepted the situation by altering somewhat the system of civil and military examinations and by establishing schools. . . . The Conservatives are evidently off their food from inability to swallow, whilst Liberals are ike a flock of sheep who have arrived at a road of many forks and do not know which to follow. The former do not understand what international intercourse means, the latter are ignorant of what is radical in Chinese affairs. The Conservatives fail to see the utility of modern military methods and the benefits of successful change, while the Progressionists, zealous without knowledge, look with contempt upon our widespread doctrines of Confucius. Thus those who cling to the order of things heartily despise those who even propose any innovation, and they in turn cordially detest the Conservatives with all the ardor of their liberal convictions. It thus falls out that those who really wish to learn are in doubt as to which course to pursue, and in the meantime error creeps in, the enemy invades our coast, and, consequently, there is no defence and no peace.

The present condition of things is not due to outside nations, but to China herself. It has ever been true that the number of our able men has been proportioned to the good qualities of the government, and that morals are gauged by the conduct of the schools. In view of many facts, and with the hope of relieving our country from her present embarrassments, We, the Viceroy of the Liang Hu, have prepared this work especially for the Chinese under our jurisdiction, and generally for our countrymen in the other provinces. . . .

Learn five lessons

The corollaries of these Twenty Chapters may be briefly Comprehended in Five Objects of Knowledge.

1. Know the shame of not being like Japan, Turkey, Siam, and Cuba.

2. Know the fear that we will become as India, Annam, Burmah, Korea, Egypt, and Poland.

3. Know that if we do not change our customs we cannot reform our methods, and if we do not reform our methods we cannot utilize the modern implements of war, etc.

4. Know what is important. The study of the old is not urgent; the call for men of attainments in useful knowledge is pressing. Foreign education is of different kinds. Western handicraft is not in demand, but a knowledge of the methods of foreign governments is a consummation devoutly to be wished.

5. Know what is radical. When abroad, do not forget your own native country; when you see strange customs, do not forget your parents; and let not much wisdom and ingenuity make you forget the holy sages.

It will be seen then that the purport of what we have written accords well with the Doctrine of the Mean. Long ago, when the kingdom of Lu was in a weak condition, Duke Ai (B. C. 550) inquired of Confucius about government. He replied: "To be fond of learning is the next thing to knowledge. To be up and doing comes near to perfection. Know what shame is, and you will not be far from heroism." Finally the sage said: "If these principles can be carried out, although one may be stupid, yet he will become clever; although weak, he will attain to strength." These maxims were spoken in the time of Lu. How much more urgent are they now when China has become great, with her almost limitless territory and her teeming population of four hundred millions! . . .

To understand clearly the aims and hopes of Chang Chih-tung in composing his famous essay the whole should be read, but a part is better than nothing, and some idea can be gained from selections from the chapters on United Hearts, The Three Moral Obligations, The Recognition of Class, and Cast Out the Poison.

331. Excerpts from the essay

### Chapter 1. United Hearts.

How circumscribed would be the responsibility of one graduate, the altruism of one official, or the duty of a single individual! But if by one determined purpose the hearts of *all* the graduates, the officials, and the men of China were united, our country would rest upon a great rock and we could defy the world to overthrow us. To attain this object it is necessary first that every man should fulfill his duty to his parents and elders. The country would then be at peace. And if every Chinese would but exercise his wisdom and courage the Empire would become strong. . . .

We would here state that there are now three things necessary to be done in order to save China from revolution. The first is to *maintain the reigning dynasty;* the second is

to *conserve the Holy Religion;* and the third is to *protect the Chinese race.* These are inseparably connected; in fact they constitute one. . . .

Under the present circumstances there is nothing for it but to arouse ourselves to the situation. Let us display our loyalty and love and embrace every opportunity to become wealthy and strong; let our first object be the veneration of the Imperial Court which vouchsafes its protecton to the commonwealth, and let those who hold the reins of government consider the general good. . . .

### Chapter III. The Three Moral Obligations.

The Sovereign is the head of the Subject, the Father is the head of the Son, and the Husband is the head of the Wife. These tenets have been handed down from the sages, and as Heaven does not change, so they never change. They constitute the first of the Five Relations and the mainspring of every act. . . . Know then, that the obligation of subject to sovereign is incompatible with republicanism. . . .

Now, we have examined somewhat into the methods of Western Governments. They have their Lords and Commons, their Senates and Representatives, which hold their prerogatives in State matters. But we have noticed that the Sovereign, or the President, retains the power of dissolving these assemblies; and in case one assembly does not suit him he exercises this power, dismisses the obnoxious body and convenes another. A Constitutional Government with a Sovereign, and a Republic are about the same. In the West the intercourse of Sovereign, Ministers, and People is easy, the rules of deportment meagre, and the needs of the people are communicated to the sovereign with rapid facility; but the bearing or dignity of the Western Prince is not to be compared with that of the Chinese Emperor. Western people, however, love their sovereigns more than the Chinese do theirs, and, although they may leave home and live abroad thousands of miles from their native land they do not disobey their country's laws or defraud their rulers. . . . It is a mistake, then, to suppose that Western countries do not maintain the doctrine of the Relation of Subject to Sovereign. . . .

### Chapter IV. The Recognition of Class.

The highest degree of culture was reached in the Chow (B. C. 1122–255) Dynasty. Then began the decline about which Confucius grieved. The Dynasties following had no powerful neighbors to strive against, but heaped up large treasures of literary lore at the expense of power. This accumulation produced the hollowness of forms, and this in turn begat weakness.

Not so all the countries of Europe. These were opened up at a late period in history, fresh and vigorous. Surrounded by strong neighbors, they were always in circumstances of desperate competition, stripped for a fight and ever striving to escape destruction. Continual apprehension produced determination, and determination begat strength. Of all countries China alone has for these fifty years proved herself almost irreclaimably stupid and not awake. Many of the officials and people are proud and indolent. They contentedly rest in the belief that the old order of things will suffice for these dangerous times, and in the end become the easy prey of outsiders. . . .

### Chapter IX. Cast Out the Poison.

The Customs' Returns for the past few years give the value of our imports at 80,000,000 Taels, and the exports at 50,000,000 Taels. The balance of *thirty million Taels* represents what has been consumed in smoking the pernicious opium pipe! Assuredly it is not foreign intercourse that is ruining China, but this dreadful poison. Oh, the grief and desolation it has wrought to our people! . . . Opium has spread with frightful rapidity and heart-rending results through the provinces. Millions upon millions have been struck down by the plague. To-day it is running like wild-fire. In its swift, deadly course it is spreading devastation everywhere, wrecking the minds and eating away the strength of its victims. The ruin of the mind is the most woeful of its many deleterious effects. . . .

Therefore we say, bring learning to the front in order to remedy the opium evil! . . . All the countries of the world recoil with disgust at the idea of smoking this vile, ill-smelling, poisonous stuff. Only our Chinese people love to sleep and eat with the deadly drug, and in the deadly drug we are self-steeped, seeking poverty, imbecility, death, destruction. . . .

The period from June 11, 1898, when the first reform decree was issued by the emperor, to September 22, when the Empress Dowager resumed the regency, is often called the "Hundred Days of Reform." During this time, under the inspiration of Kang Yu-wei, reform decrees were issued by the dozen. Foreigners and Chinese were left breathless with amazement at the sweeping orders for change: institutions, great and small; officials,

powerful and insignificant; century-old customs—all were affected. A decree of September 13 granting to all subjects the general right to memorialize the throne in closed memorials is typical of these reform documents.

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KANG YU-WEI

332. Reform edict of September 13, 1898

Our love for our people and our anxiety to rescue the Empire from the lethargy and corruption which have fallen upon it, leading the way to destruction, caused us to inaugurate this era of reform of the government and to spread higher and more universal education amongst our people for their betterment and for the strengthening and enriching of the Empire. But we could not do this from the materials at hand and so we determined to bring in Western learning and sciences to our aid to supply what we lacked for our purpose. For Westerners are our superiors in that they possess more zeal and perseverance in their pursuit of knowledge. But

Western superiority and reasons for it

we have heard conservative statesmen and scholars decry Western knowledge and declare that Westerners have no system in their education. These ignorant men do not know that the science of government and the system of education of Western countries have been brought through a thousand and even ten thousand difficulties to their present perfection by zeal and perseverance, all leading to one principal aim—that of the betterment of the masses. So we find that Westerners are wise and far-seeing; they bring wealth to their families and comfort to their bodies; they have that which brightens the intellect and improves the person; they have even longevity at command. All these have been given them by their system of government and education. Whatever they find of benefit and use to their people, Westerners are always seeking to extend such in order that all may reap the advantage. We have considered and studied the benefit of Western learning and morning and night our heart is filled with the desire to introduce these reforms into our country. Are there people who think that we seek to introduce new things just for the pleasure arising from novelty? No; this surely is not so. We indeed yearn to nourish and better our people so that they may have and enjoy of the best that modern times can give. Our people are our children, given to us by High Heaven to nourish. They are the inheritance which our ancestors have handed down to us. Hence we consider that we have failed in the high duty belonging to us, as the Sovereign and Lord of our people, since we have been brought to recognize the bitter fact that our children are unhappy, comfortless, and poverty-stricken. Moreover there is also the fact that the nations around us are gathering about us; they have come to take away what we cannot keep. We are trying to prevent this and yet many of our people do not know of the bitterness, the troubles, and the difficulties which we are fighting hard to conquer in order to bestow the highest blessings upon our beloved children. The fault due to this ignorance of the people concerning our hardships lies with the incapable and useless officials of the land, who, influenced by conservative people, do not try to inform our people truly of what we are doing for reform, while crafty and wicked persons try to spread unseemly rumours in order to stir up the people against this reform. We feel very indignant at this, and we now command that the whole Empire shall know exactly what the country needs in reform and to make all feel that we are determined upon reform. Once our whole people know the benefits accruing from reform we can then depend upon them to carry it out themselves, working as our right hand. Then will we have a strong China and a happy and contented people and our

Relation of people and emperor

dearest wishes shall then have been accomplished. We hereby command that, commencing from the decrees of the 11th of June to the present one, all such decrees as touch upon reform work shall be copied by all our Viceroys and Governors forthwith and printed in clear type to be sent to all the prefects, sub-prefects, district magistrates and directors of studies of the Empire, to be publicly read aloud and explained to the people. We desire that these decrees be transmitted from man to man and from household to household that all may know and learn what we desire for our people's good.

**Free right to memorialize the throne**

We hereby grant permission to Provincial Treasurers, Judges, Taotais, and Prefects to memorialise the Throne on anything concerning reform they may wish to inform us; they must not be backward and keep silent, and as for the sub-prefects and district magistrates they also may memorialise us but through their respective Viceroys or Governors. The latter shall not be allowed to open these memorials but they shall see to it that every memorial be sent up to us intact and unopened, nor shall any attempt at coercion be allowed by the higher authorities on the lower. And we further command that our decrees on reform shall be placarded and framed outside the great gates of the various yamêns, irrespective of rank, so that all our people may have the opportunity of reading the contents and learn what is desired for their happiness and betterment.

While the emperor was ordering reforms the Empress Dowager, his aunt, to whose power he owned his throne, was watching the proceedings with interest. Inspired by Kang Yu-wei, the emperor at length decided to imprison the Dowager Empress so as to make sure that she would not interfere and undo his work of change. Through Yuan Shih-kai, former resident in Korea, now civil commandant of the Tingwu division of the Peiyang army, and provincial judge of Chihli, the old empress learned of the plot against her. She was quicker to act than the emperor; the result was his imprisonment in a pavilion of the Lake Palace just outside the wall of the Forbidden City. The movement toward reform was temporarily ended, and a counter-reformation begun. The reasons for the temporary failure of the movement are worth pondering.

333. Reasons for the failure of the movement

The reasons for the failure are obvious. The movement was the creation of two men, Kang Yu-wei and the emperor, a visionary enthusiast and an inexperienced weakling; and they were actively supported only by the Cantonese, at Peking and in their own province, and the support of this revolutionary party threw suspicion on the movement in all the other provinces. Among statesmen of position they secured the active support only of Chang Yin-hwan, a Cantonese; Chang Chih-tung gave it platonic approval; and Liu Kun-yi maintained an attitude of cold neutrality. As said before, the pyramid of reform stood on its apex. Against the movement were arrayed, actively or passively, all the forces of the empire. The peasantry would have welcomed a reduction of taxes or freedom from extortion, but otherwise asked only to be left alone; the traders were probably enlightened enough to welcome the reform of abuses, but dreaded a state of disorder; the gentry, from whose ranks the officals were drawn, resented the modification of established customs; gentry and officials alike regarded with dismay the curtailment of official privileges and emoluments; such statesmen as Li Hung-chang saw in the established régime the only possible system for the empire; that portion of the army which was r presented by the Green Banner refused to accept annihilation; the Manchu rank and file were threatened with being compelled to go to work; the Manchu gentry and nobility saw that Manchu ascendancy was threatened; the imperial clansmen and princes of blood saw the foundations of the Manchu throne endangered; and the empress dowager saw her own life in peril, and the reversal of all that had been gained in her forty years of rule, which, blood-stained though it might be, corrupt though it was, was yet based on sound and statesmanlike principles. With such support and such opposition any reform movement must have come to naught, however well intentioned, and however noble its principles.

Kuang Hsü probably owed the remaining years of his life to the pointed inquiries made as to his health by the foreign envoys to his court. His enemies hesitated to bring on themselves the storm of criticism that would have been aroused had the emperor's death occurred after his imprisonment. Nevertheless, on January 24, 1900, a decree issued in his name alone called attention to the irregularity in the line of succes-

sion caused by his accession to the throne, and also to his poor health; he announced that he had "begged" the empress to select an heir to the throne, that she had done so, and that Puchün, son of Prince Tuan, had been chosen. The abased and unhappy position of Kuang Hsü is tragically shown in this document.

**334. The Vermilion Decree of H. M. Kuang Hsü, January 24, 1900**

In days of our tender infancy we succeeded by adoption to the Great Inheritance, and were favoured by the Empress Dowager, who graciously 'suspended the curtain' and administered the Government as Regent, earnestly labouring the while at our education in all matters. Since we assumed the reins of government, the nation has passed through severe crises, and our sole desire has been to govern the Empire wisely in order to requite the maternal benevolence of Her Majesty as well as to fulfil the arduous task imposed on us by His late Majesty.

But since last year our constitution has been sore-stricken with illness, and we have undergone much anxiety lest the business of the State should suffer in consequence. Reflecting on the duty we owe to our sacred ancestors and to the Empire, we have therefore besought Her Majesty to administer the Government during the past year. Our sickness has so far shown no sign of improvement, and it has prevented us from performing all the important sacrifices at the ancestral shrines and at the altars of the gods of the soil.

And now at this acute crisis, the spectacle of Her Majesty, labouring without cease in the profound seclusion of her palace, without relaxation or thought of rest, has filled us with dismay. We can neither sleep nor eat in the anxiety of our thoughts. Reflecting on the arduous labours of our ancestors from whom this great Heritage has descended to us, we are overwhelmed by our unfitness for this task of government. We bear in mind (and the fact is well known to all our subjects) that when first we succeeded by adoption to the Throne, we were honoured with a Decree from the Empress Dowager to the effect that so soon as we should have begotten an heir, he should become the adopted son of His Majesty T'ung-Chih. But our protracted sickness renders it impossible for us to hope for a son, so that His late Majesty remains without heir. This question of the succession is of transcendent importance, and our grief, as we ponder the situation, fills us with feelings of the deepest self-abasement and renders illusive all hope of our recovery from this sickness.

We have accordingly prostrated ourselves in supplication before our sacred Mother, begging that she may be pleased to select some worthy person from among the Princes of the Blood as heir to His Majesty T'ung-Chih, in order that the Great Inheritance may duly revert to him. As the result of our repeated entreaties Her Majesty has graciously consented, and has appointed P'u Chun, son of Prince Tuan, as heir by adoption to his late Majesty. Our gratitude at this is unbounded, and reverently we obey her behests, hereby appointing P'u Chun to be Heir Apparent and successor to the Throne. Let this Decree be made known throughout the Empire.

We have seen above the aggressive actions taken by several of the foreign powers, and some of the effects upon China of those actions. Before going into the discussion of the Boxer trouble itself, it is well to consider further the old and much mooted question of the effects of missions and missionaries in this country. When the Boxer Rebellion broke forth, most of the foreigners who were attacked were missionaries, as was natural in their unprotected position, and the Chinese who suffered most were the Christians, who had been in contact with and influenced by foreigners. A distinguished missionary educator, Dr. Francis L. Hawks Pott, presents a dispassionate statement contemporary with the Rebellion.

335. The missionary question

The recent troubles in China are often attributed, by superficial critics, to the active missionary work in progress in the empire. It is argued (1) that the missionary antagonizes the religious beliefs of the people: (2) that he interferes in political affairs; that he depends upon the strong secular arm to help him in his work, and pleads, whenever he considers himself in danger, for the protection of the gunboat; (3) that he arrogates to himself the airs and prerogatives of an official of the empire, and (4) that he disseminates doctrines that can only lead to rebellion.

Charges against missions

We must endeavor to examine these charges with an unbiased mind, in order to discover whether they are well founded, and to how great an extent missionary work may be held responsible for the outbreak in China.

Antagonism of people

(1) The first accusation is that the missionary antagonizes the people and, acting in the spirit of an iconoclast, disparages Confucianism and derides Buddhism. . . .

In a spirit of entire frankness, we do not think that the missionary body can, as a whole, plead not guilty to this indictment. When one considers the vast number of missionaries in China and how religious enthusiasts are apt to be men of ill-balanced minds, it cannot but be that some few will be found engaged in missionary work who endanger and injure their cause by indiscretion in word and deed. Having admitted this, we are still far from holding missionary enterprise responsible for the recent troubles. The Chinese, as a race, are not a religious people, but, on the whole, are extremely indifferent as to spiritual matters. They have no respect for Buddhism. It is a foreign religion in China, and they will listen with great and apparent enjoyment to attacks made upon the follies of Buddhistic teaching and idolatry. If the Chinese possessed sincere religious convictions, there might be some show of reason in tracing the origin of the outbreak to the fact that their feelings had been outraged.

For the teachings of Confucius and for the Sage himself, the Chinese, high and low, have a most profound respect; but we do not think that missionaries, as a class, can be accused of intentionally attacking the Confucian Code of Ethics. The missionary, after all, is a man of some common sense, and soon perceives that he gains his point better by some apt quotation from the classics in support of his plea, than by criticising the teachings of the great Sage. We must also bear in mind that for idolatry *per se*, the Chinaman himself has not a good word to say. The Confucianists will join hands heartily with the Christian in his condemnation of image worship. The follower of Confucius looks with contempt upon the Buddhist and Taoist sects, and regards their cults as, perhaps, good for women and children and the ignorant, but of no value for the scholarly man. . . .

Interference in political affairs

(2) The second charge is that Christianity is unpopular because of political interference, its dependence upon the strong secular arm, and the clamor for gunboats in the hour of danger. Missionaries are said to claim special privileges on behalf of their native converts when they are engaged in litigation or other disputes, and generally to interfere in the civil affairs of the neighborhood in which they reside. In answer to this indictment, we fear that Roman Catholic missionaries, at least, will have to plead guilty. Undoubtedly of late years the Roman Catholic priests have persistently brought pressure to bear upon the local officials to decide all cases of litigation in favor of their converts. Many have

been attracted to their fold by the hope of obtaining the powerful assistance of the Church in lawsuits. Protestants, too, have not been wholly guiltless of this political meddling, but in their case, the interference has been attempted only when they believed the cause was a just one.

Chinese law courts

The fact to be borne in mind, however, when we would pass judgement upon missionaries for this method of procedure, is the almost utter impossibility of a Chinaman obtaining justice in a Chinese court of law. Nothing but bribery will win a lawsuit in China, and the innocent man who falls into the clutches of the Chinese mandarin without the wherewithal to grease his palms is in a bad plight. It is surely natural that when a missionary sees justice outraged, and knows by his intercession he can procure the punishment of the guilty and the release of the innocent, he should be led to make it. The wisdom of such a policy may be debatable, but the temptation to pursue it while China remains the utterly corrupt country she now is, must always be very great. . . .

Appeals for armed assistance

As to the second part of this charge—the appeal for armed assistance— . . . When appeal has been made for such assistance it has only been after the most violent outrages. If missionaries in China were ministering to cannibals, or barbarians such as are found in darkest Africa, they would expect to take their lives in their hands, and there could be no thought of an appeal for protection to Home Governments; but it is not so. They take up their residence in the interior of China relying upon treaty rights. Their safety is guaranteed to them by the Chinese Government. . . . When massacres take place, then, it is the duty of the missionary to enter protest, and ask for reparation. In the eyes of the Westerner, a treaty is a sacred thing, and the Chinese Government must be compelled to abide by its own promises. If the missionary had been more clamorous and if the Home Governments had supported him more energetically, we would not have been landed in the present wretched state of affairs. . . .

(3) The third charge brought against the missionary is that he arrogates to himself the airs and prerogatives of the officials of the empire.

Missionaries' presumption

In answer to this charge we are reluctantly obliged to admit that, as regards the Roman Catholic missionaries, it is a just one. The ideal of being a society possessed of temporal power has always been cherished by the Roman Church. Her missionaries in China have accepted the imperial offer of assuming the status and prerogatives of officials of the empire, and have gone far beyond the letter of the decree in setting up their own tribunals and undertaking to govern their converts.

The principal articles of the decree conferring rank upon the Roman hierarchy are as follows (I quote them in full, as I have found much ignorance as to the peculiarly aggravating attitude of the Romish Church in China):

"AN IMPERIAL DECREE

"Published on the 15th of March, 1899.

"Churches of the Catholic religion, the propagation of which has been long since authorized by the Imperial Government, having been built at this time in all the provinces of China, we long to see the Christians and the people live in peace, and, in order to make their protection more easy, it has been agreed that local authorities shall exchange visits with missionaries under the conditions indicated in the following articles:

"1. In the different degrees of the ecclesiastical hierarchy, bishops being in rank and dignity the equals of viceroys and governors, it is agreed to authorize them to demand to see viceroys and governors. . . . Vicars-General and archdeacons will be authorized to demand to see provincial treasurers and judges, and taotais. Other priests will be authorized to see prefects of the 1st and 2d class, independent prefects, sub-prefects, and other functionaries.

"2. When a mission affair, grave or important, shall come up unexpectedly in any province, the bishops and any missionaries of the place should ask for the intervention of the minister or consuls of the power to which the Pope has confided the protection of religion. These last will regulate or finish the matter, either with the Tsungli Yamên or the local authorities. In order to avoid protracted proceedings, the bishop and the missionaries have equal right to address themselves at once to the local authorities, with whom they may negotiate the matter and finish it."

Protestant attitude on this matter

The missions of the Anglican Communion and other Protestant Churches have unanimously refused to ask for any similar privileges, foreseeing clearly that, although the possession of such would vastly increase their power, yet this assumption would be attended with the gravest dangers, and could not but make their cause unpopular in the eyes of the Chinese.

Here, again, we must state that it is our conviction that the policy of the Roman Church in this matter has been one of the causes of the present outbreak; but, at the same time, we must not forget that, had it not been for the weakness and inability of the Chinese Government to preserve order and suppress anti-Christian disturbances, the Roman Catholic Church would never have been in a position to demand or secure the rights which she now possesses.

Disruptive effects of Christianity

(4) The fourth and last charge against missionaries calls for only a few words. They are said to disseminate teachings that inevitably lead to rebellion. To this indictment the missionary would probably willingly plead guilty. He knows that he is pouring "new wine into old bottles." He is proud to be a leader in the great movement of enlightening the Chinese. He establishes schools and colleges, and teaches in them what constitutes true civilization and what it is necessary for China to learn if ever she would take her place among the progressive nations of the world. He translates books on religious, ethical, political, economical, and scientific subjects, and is doing all in his power to stir up the stagnant pool that surrounds him.

It may truly be said that the missionary has been the founder of the Reform Party in China. What then? Must he desist from his efforts in order that the old *laissez-faire* policy of those interested in keeping China as she is, may succeed? We think not. The policy that trembles at the thought of any possible disturbance of trade is extremely short sighted. For the present gain it would relinquish vast future possibilities.

The Christian missionary never incites to active rebellion; but if his teachings tend to produce revolution and to accomplish the formation of a new China, he ought to receive the gratitude of the whole human race. He is bound to impart the knowledge of which he has become a legatee, and cannot be frightened from his task by the probable consequences.

The *real* reason why missionaries are attacked

We conclude, then, that although the spread of Christianity has been frequently attended with anti-Christian riots, the missionaries have been attacked rather because they were foreigners than because they were propagators of the Christian religion.

## *Section 59. The Boxer Period*

After the suppression of the Boxers in 1900, Li Hung-chang stated, in giving reasons for the outbreak, that it "was due to the deep-seated hatred of the Chinese people towards foreigners. China had been oppressed, trampled upon, coerced, cajoled, her territory taken, and her usages flouted."* Shortly before the storm of 1900

* Foster, *American Diplomacy in the Orient*, p. 416.

and when the Boxers were growing very powerful, an edict of the Empress Dowager contained the following:

TZ'U HSI, EMPRESS DOWAGER

336. The Empress Dowager on foreign aggression

The various powers cast upon us looks of tiger-like voracity hustling each other in their attempts to be the first to seize upon our inmost territory. They think that China, having neither money nor troops, would never venture to go to war with them. They fail to understand, however.

that there are some things which this empire can never consent to, and that, if hard pressed, we have no alternative but to rely upon the justice of our cause, the knowledge of which in our breasts strengthens our resolve and steels us to present a united front against our aggressors.

The legations in Peking were in a state of "semi-siege" from June 8 to June 20. The foreigners in the city were in three areas: the legation quarters, the compound of the Roman Catholic Cathedral at Pehtang, and the compound of the American Methodist Mission. During the period of semi-siege there was much burning and plundering in the city. The actual siege of the legation quarters began on the afternoon of June 20, following the murder of the German envoy Baron von Ketteler in the morning. Ten days later, on July 1, when the city was dominated by the Boxers, and after many missionaries and certain other foreigners in the interior had been murdered, appeals to the rulers of Russia, England, and Japan were sent by the imperial Manchu government. These were apparently attempts to "play safe," by explaining to the powers the difficulties of the court.

337. An appeal to England, July 1, 1900

The Great Emperor of the Great Ts'ing State greets the Great Ying (*Ying-ki-li* or "English") State; Great Prince Lord combining the Great Empress of the Five Indies. Ever since China has opened up trade with the various countries your noble country in particular has from first to last placed value upon commercial considerations, and has never exhibited any covetous desire for territory. Recently in consequence of feuds between the ordinary people and the converts, ill-disposed persons seized the opportunity to make violent attacks upon the different nationalities in such wise that the Court was suspected of favouring the ordinary folk at the expense of the believers, which led to an attack upon and the occupation of the Taku forts. Arising out of this the trouble was complicated by military hostilities, and the general situation became more desperate than ever. Having in mind that in China's commerce your noble country really

represented seven or eight parts out of ten, the customs taxes being lighter than other countries and the prohibitionary rules being also more liberal than with other powers, for these reasons during the past few score of years the treaty ports have been on the most excellent terms with your trading people there, forming, in fact, as it were, a happy family together. But now by reason of a mutual suspicion that has grown up, circumstances have assumed the changed aspect at present existing, and it is possible that China may be unequal to the strain. It is to be feared that amongst the powers there must be those who in view of her extent and resources may entertain rival ambitious designs within her bounds, the advantage or disadvantage of which to your noble country's principle of founding a state policy upon a commercial basis ought to be easily imagined. At the present moment China is at her wit's end to raise funds for armies and their supplies, and in order to get out of this difficult tangle she can but have recourse to the assistance of your noble country. For this reason in all sincerity of heart is most earnestly dispatched this note in the hope that the Great Prince Ruler (or Lord) will find means to evolve some plan, hold the bull's ear, and restore the situation. It is also hoped that your excellent views may be kindly notified, as they are awaited with inexpressible anxiety.

One of the most interesting and valuable sources of information on the Boxers is the diary of His Excellency Ching Shan which was found in the writer's study in Peking on August 18, and saved by Mr. Edmund T. Backhouse from being burned by Sikhs. The translation of the work is given in Messrs. Bland and Backhouse's *China Under the Empress Dowager*. Two sections of this are given as being of more than ordinary value.

Ching Shan was a Manchu of high rank and connected with the family of the Empress Dowager. His position and connections with the court and the fact that he was a witness of much that happened in the summer of 1900 make his diary noteworthy. His sympathies were with the Boxers.

The first selection includes a document of Jung Lu's, showing his attitude toward the Boxers. Jung Lu showed

his statesmanship as well as his great loyalty to the empress by standing out against her pro-Boxer courtiers and her own misguided will. To his obstructive tactics it was largely due that the legations were not taken.

338. Jung Lu's telegram to the southern viceroys

*The same day** at the Hour of the Dog (7–9 P.M.).—I learn that Jung Lu has just sent off a courier with a telegram, which Yüan Shih-K'ai is to send on to the Viceroys of Canton, Nanking and Wuch'ang. Prince Li has sent me a copy, which I am to keep secret; it reads as follows:—

"With all respect I have received your telegrams. Where one weak people dares to oppose ten or more powerful nations, the inevitable result can only be complete ruin. It has always been maintained as a fixed principle with civilized nations, that, in the event of war between any two Powers, their respective Envoys should be treated with respect. Can it now be that this our great inheritance, founded by our remote ancestors at so great a cost of toil and danger, is to be endangered, and suddenly brought to ruin, by these false workers of magic? Shall the fate of the Dynasty be staked on a single throw? It requires no peculiar sagacity to see that these Boxers' hopes of success are nothing but the shadow of a dream. It is true and undeniable, that, from Their Majesties on the Throne down to the very lowest of our people, all have suffered from the constant aggression of foreigners and their unceasing insults. For this reason these patriotic train-bands have been organised, claiming a divine mission of retaliation; but the present crisis is all-serious, and although I have used every effort to explain its dangers, I have laboured in vain. I am sick and suffering from lameness, but since I obtained leave of absence I have already submitted seven separate memorials denouncing these Boxers. Seeing that they produced no result, I have now left my sick bed, in order, if possible, to explain the situation clearly to Their Majesties; and this also has been in vain.

"All the Princes and Ministers of State who surround the Throne now cry out against me with one voice, as your Excellencies can readily believe. I dare not quote in this place the words of Her Majesty, but I may say that the whole of the Imperial family have joined the Boxers, and at least two-thirds of our troops, both Manchu and Chinese, are with them. They swarm in the streets of our capital like a plague of locusts, and it will be extremely difficult to disperse them.

*June 22, 1900.

"Even the divine wisdom of Her Majesty is not sufficient to stand against the will of the majority. If Heaven is not on our side how can I oppose its will? For several days past I have been pondering night and day on some way out of our difficulties, some forlorn hope of escape. Therefore yesterday morning (June 20th) I arranged for a meeting with the foreign Ministers at the Tsung-li Yamen, with a view to providing a safe-conduct for the entire foreign community, with my own troops, to Tientsin. This course appeared to me to hold out some reasonable chances of success, but Prince Tuan's soldiery slew the German Minister, and since then the situation continues to develop from hour to hour with such extraordinary rapidity that words fail me to describe it. On my side, in the discussion of the Grand Council and the Chamberlains of the Presence, are Prince Ch'ing and Wang Wen-shao, but the former, following his usual practice, has applied for leave, and Her Majesty will have nothing to do with him; so that these two are of no real assistance to me. I have no fear of death, but I grieve at the thought of the guilt which will be recorded against me in history; Heaven knows that I am overwhelmed with grief and shame. I have received great favors at the hands of the Throne, and can only now pray to the spirits of the Dynastic ancestors to protect our Empire. The situation here is well-nigh lost, but it remains for your Excellencies to take all possible steps for the protection of your respective provinces. Let each do his utmost, and let proper secrecy be maintained." Signed "Jung Lu, with tears in his eyes."

Remarks on Chang Chih-tung

It is reported from the Grand Council that Chang Chih-tung has telegraphed to Her Majesty, assuring her of his devotion and loyalty, and asking whether he should come north with his troops to help in the work of destroying the barbarians. Chang is a time-server, and loves not the Emperor; we have not forgotten how he approved the Decree appointing an Heir Apparent, and how he would have been a party to His Majesty's removal from the Throne, justifying himself on quibbling grounds of legality and precedents as to the lawful succession. He trims his sails according to the wind of the moment, and has no courage of fixed principles, like Liu K'un-yi. I despise the latter's views in opposing the Boxers, but no one can help admiring his upright character.

The accompanying excerpts from Ching Shan's diary describe two of the outstanding events of the Boxer period: the decree ordering the extermination of all foreigners, and the flight of the court. The decree was

probably issued on June 24; although the exact date is uncertain, the fact of its issue is not to be disputed. "Whenever you meet a foreigner, you must slay him; if the foreigner attempts to escape, slay him atonce"—these were the orders. The character *sha* (slay) was changed to *pao* (protect) in the telegraphic version of the decree and the lives of many foreigners were saved; where the original version was sent by courier the officials carried out the order and many were slain. The Ministers Yuen Chang and Hsü Ching-cheng, and their subordinates Lien Yuan, and Hsu Yun-yi, were responsible for the change in the decree. All were executed.

The siege of the legations lasted from June 20 to August 14. On the afternoon of August 14 the empress learned that the foreign troops had reached Peking. Following a meeting of the Grand Council in the middle of the night, the emperor and the Dowager Empress fled from the Forbidden City at four o'clock on the morning of August 15.

339. The imperial order to slay the foreigners, and its change

*8th Day of the 6th Moon*, 11 A. M. (July 4th).—Yü Hsien's* son-in-law, Chi Shou-cheng, came and talked with me for a long while. The bombardment of the city was going on all the time he was here, and to the south of my house, close to the Imperial City wall, the troops of Li Ping-heng were mounting cannon on an elevated platform. They are all still very wroth with Jung Lu, who refuses to lend his guns, and his troops are so faithful to him that it is impossible to bribe them to disobey him.

Jung Lu's courage is really extraordinary; he said of himself lately, that "in the days of the wicked Ruler (meaning Prince Tuan) he bided his time on the shores of the bleak North Sea, awaiting the purification of the Empire."† I am

*Yu Hsien was at this time governor of Shansi. To him is attributed chief blame for the spread of Boxerism in Shantung when he was governor of that province.

† Quotation from Mencius.

told that Prince Tuan has taken possession of one of the Imperial Seals, so as to be able to proclaim his son Emperor at the first favorable opportunity; but if the Old Buddha finds this out, as most probably she will, there is trouble ahead for Prince Tuan.

Chi Shou-Ch'eng tells me that Yü Hsien has sent in a memorial to the Empress Dowager with reference to the missionaries in Shansi. Ten days ago she had sent him a secret Decree, saying: "Slay all foreigners wheresoever you find them; even though they be prepared to leave your province, yet must they be slain." It seems that the Old Buddha ordered that this Decree should be sent to every high provincial official in the Empire, but it is now reported that Tuan Fang, the acting governor of Shansi, and Yü Chang, governor of Honan, together with the high officials in Mongolia, received the Edict in a very different form, for the word "slay" had been changed to "protect." It is feared that some treacherous Minister is responsible for this, but no one dares inform Her Majesty. To Yü Hsien's latest memorial, she has made the following reply, which has been sent by the fastest express riders to T'ai-Yüan fu: "I command that all foreigners—men, women, and children, old and young—be summarily executed. Let not one escape, so that my Empire may be purged of this noisome source of corruption, and that peace may be restored to my loyal subjects." Chi Shou-Ch'eng tells me that Yü Hsien's bitterness against foreigners is inspired by his wife, of whom he is greatly afraid. He himself has earned golden opinions in T'aiyüan during his short administration, and has a high reputation for even-handed justice. He says also that this last Decree gave pleasure to Prince Chuang; Jung Lu tried to stop it, asking the Old Buddha what glory could China expect to gain by the slaughter of women and children. "We should become the laughing stock of the world," he said, "and the Old Buddha's wide spread fame and reputation for benevolence would be grievously injured." "Yes," replied the Empress Dowager, "but these foreigners of yours wish to see me deposed, and I am only paying off old scores. Ever since the days of Tao-Kuang this uproarious guest within our borders has been maltreating his hosts, and it is time that all should know who is the real master of the house."

Yesterday afternoon the Empress Dowager crossed over to the Lake Palace for a water picnic, attended by several ladies of the Court. The continuous bombardment of the French Cathedral eventually made her head ache, so she despatched a chamberlain to the officer commanding at the Hsi-Hua Gate, ordering them to cease firing until her return to the Forbidden City.

*3rd day of the 7th Moon* (28th July).—The Old Buddha places much confidence in Li Ping-heng. Yesterday he and Kang Yi discovered that the word "to slay," in Her Majesty's Decree ordering the extermination of all foreigners, had been altered to "protect" by Yüan Ch'ang and Hsü Ching-ch'eng. I have just seen Kang Yi, and he says that Her Majesty's face was divine in its wrath. "They deserve the punishment meted out to Kao Ch'u-mi,"* she said, "their limbs should be torn asunder by chariots driven in opposite directions. Let them be summarily executed." An Edict was forthwith issued, but no mention is made in it of the alteration of the Decree, as this is a matter affecting the nation's prestige; the offenders are denounced only for having created dissensions in the palace and favored the cause of the foreigner. Both were executed this morning; my son, En Ming, witnessed their death. It is most painful to me to think of the end of Yüan Ch'ang, for he had many sterling qualities; as for Hsü, I knew him in the days when we were colleagues at the Grand Secretariat and I never had a high opinion of the man. His corruption was notorious. Just before the sword of the executioner fell, Yüan remarked that "he hoped that the Sun might soon return to its place in the Heaven, and that the usurping Comet might be destroyed." By this he meant that Prince Tuan's malign influence had led the Empress Dowager to act against her own better instincts. Duke Lan, who was superintending the execution, angrily bade him be silent for a traitor but Yüan fearlessly went on: "I die innocent. In years to come my name will be remembered with gratitude and respect, long after you evil-plotting Princes have met your well deserved doom." Turning then to Hsü, he said: "We shall meet anon at the Yellow Springs.† To die is only to come home." Duke Lan stepped forward as if to strike him, and the headsman quickly despatched them both. . . .

The discovery of the change in the edict and the punishment that followed

*21st Day* (15th August).—When Lien tells me that the Old Buddha arose this morning at the Hour of the Tiger (3 A.M.) after only an hour's rest, and dressed herself hurriedly in the common blue cloth garments of a peasant woman, which she had ordered to be prepared. For the first time in her life her hair was done up in the Chinese fashion. "Who could ever have believed that it would come to this?" she said. Three common carts were brought into the palace; their drivers wore no official hats.

The flight of the court

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* A traitor whose crime and punishment are recorded in the *Spring and Autumn Annals.*

† A classical expression, meaning the Spirit-world.

All the Concubines were summoned to appear before Her Majesty at 3.30 A. M.; she had previously issued a decree that none of them would accompany her for the present. The Pearl Concubine, who had always been insubordinate to the Old Buddha, came with the rest and actually dared to suggest that the Emperor should remain in Peking. The Empress was in no mood for argument. Without a moment's hesitation, she shouted to the eunuchs on duty: "Throw this wretched minion down the well!" At this the Emperor, who was greatly grieved, fell on his knees in supplication, but the Empress angrily bade him desist saying that this was no time for bandying words. "Let her die at once," she said, "as a warning to all undutiful children, and to those 'hsiao' birds* who, when fledged, peck out their own mother's eyes." So the eunuchs Li and Sung took the Pearl Concubine and cast her down the large well which is just outside the Ning Shou Palace.

Murder of the Pearl Concubine

Then to the Emperor, who stood trembling with grief and wrath, she said, "Get into your cart and hang up the screen, so that you be not recognized" (he was wearing a long gown of black gauze and black cloth trousers). Swiftly then the Old Buddha gave her orders. "P'u Lun, you will ride on the shaft of the Emperor's cart and look after him. I shall travel in the other cart, and you, P'u Chun (the Heir Apparent) will ride on the shaft. Li Lien Ying, I know you are a poor rider, but you must shift as best you can to keep with us." At this critical moment it seemed as if the Old Buddha alone retained her presence of mind. "Drive your hardest," she said to the carters, "and if any foreign devil should stop you, say nothing, I will speak to them and explain that we are but poor country folk, fleeing to our homes. Go first to the Summer Palace." Thereupon the carts started, passing out through the northern gate of the palace (The Gate of Military Prowess) while all the members of the Household and the Imperial Concubines prostrated themselves, wishing Their Majesties a long life. Only the three Grand Councillors followed on horse back, a rendezvous having been arranged for other officials at the Summer Palace. My neighbor Wen Lien, the Comptroller of the Household, followed Their Majesties at a distance, to see them safely out of the city. They left by the "Te-sheng-Mên," or Gate of Victory, on the north-west side of the city, where for a time their carts were blocked in the dense mass of refugees passing out that way.

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*A species of owl—classical reference.

Arrival of Their Majesties at the Summer Palace

4 P. M.—The Sacred Chariot of Her Majesty reached the Summer Palace at about 8 A. M. and Their Majesties remained there an hour. Meanwhile, at 6 A. M., Prince Ch'ing, just before starting for the Summer Palace, sent a flag of truce to the Japanese Pigmies who were bombarding the city close to the "Ch'i Hua' gate on the east of the city. The gate was thrown open and the troops swarmed in.

My son En Ming was on duty at the Summer Palace with a few of his men, when the Imperial party arrived, all bedraggled and dust-begrimed. The soldiers at the palace gate could not believe that this was really their Imperial mistress until the Old Buddha angrily asked whether they failed to recognize her. The carts were driven in through the side entrance, and tea was served. Her Majesty gave orders that all curios, valuables, and ornaments were to be packed at once and sent off to Jehol; at the same time she despatched one of the eunuchs to Peking to tell the Empress* to bury quickly every scrap of treasure in the Forbidden City, hiding it in the courtyard of the Ning Shou Palace.

The Princes Tuan, Ching, Na, and Su joined Their Majesties at the Summer Palace; a few Dukes were there also, as well as Wu Shu-mei and Pu Hsing of the higher officials. About a dozen Secretaries from the different Boards, and three Clerks to the Grand Council, accompanied the Court from this point. General Ma Yu-K'un, with a force of 1000 men escorted Their Majesties to Kalgan, and there were in addition, several hundreds of Prince Tuan's "Heavenly Tiger" Bannermen, fresh from their fruitless attack on the legations. Jung Lu is still endeavouring to rally his troops.

Suicide of Hsü Tung

I have just heard of the death of my old friend Hsü T'ung, the Imperial Tutor and Grand Secretary. He has hanged himself in his house and eighteen of his women-folk have followed his example. He was a true patriot and a fine scholar. Alas, alas! From all sides I hear the same piteous story; the proudest of the Manchus have come to the same miserable end. The betrothed of Prince Ch'un, whom he was to have married next month, has committed suicide, with all her family. It is indeed pitiful.†

Thus for the second time in her life, the Old Buddha has had to flee from her Sacred City, like the Son of Heaven in the Chou Dynasty, who "fled with dust-covered head."

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*Consort of Kuang Hsü, later Empress Dowager, known by the honorific title of Lung Yü.

†Prince Ch'un subsequently married Jung Lu's daughter, by special command of the Empress Dowager.

The failure of the southern provinces o join in the enterprise has ruined us. Prince Tuan was much to blame in being anti-Chinese. As Confucius said, "By the lack of broad-minded tolerance in small matters, a great design has been fustrated." After all, Jung Lu was right—the Boxers' so-called magic was nothing but child's talk. They were in reality no stronger than autumn thistledown. Alas, the bright flower of Spring does not bloom twice!

My wife and the other women, stupidly obstinate like all females, intend to take opium. I cannot prevent them from doing so, but, for myself I have no intention of doing anything so foolish. Already the foreign brigands are looting in other quarters of the city, but they will never find my hidden treasure, and I shall remain here, old and feeble as I am. My son, En Ch'un, has disappeared since yesterday, and nearly all my servants have fled. There is no one to prepare my evening meal.

*(Here the diary ends. The old man was murdered by his eldest son that same evening; all his women-folk had previously taken poison and died.)**

An unusually naïve account is given by the Empress Dowager herself, of her ideas as to her position and personal characteristics, in Princess Der Ling's *Two Years in the Forbidden City.* Princess Der Ling, a daughter of the Chinese Minister to France from 1899–1903, was at one time First Lady in Waiting to H. M. Tz'ŭ Hsi, the Dowager Empress. In her conversations at various times with her imperial mistress the favorite attendant had excellent opportunity to get the point of view of the autocrat of China on the subject of the Boxers. Her comments here show how dependent on advice even the most masterful autocrat may be. The conflict between Prince Tuan, father of the Heir Apparent, and Jung Lu, the loyal friend of the empress, is clearly set forth in this discussion.

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*The son was subsequently shot for harboring Boxers, after the relief of Peking [Ed. note].

340. Tz'ŭ Hsi's account of her experiences with the Boxers

Do you know I have often thought that I am the most clever woman that ever lived and others cannot compare with me. Although I have heard much about Queen Victoria and read a part of her life which some one has translated into Chinese, still I don't think her life was half so interesting and eventful as mine. My life is not finished yet and no one knows what is going to happen in the future. I may surprise the foreigners some day with something extraordinary and do something quite contrary to anything I have yet done. England is one of the great powers of the world, but this has not been brought about by Queen Victoria's absolute rule. She had the able men of parliament back of her at all times and of course they discussed everything until the best result was obtained, then she would sign the necessary documents and really had nothing to say about the policy of the country. Now look at me. I have 400,000,000 people, all dependent on my judgment. Although I have the Grand Council to consult with, they only look after the different appointments, but anything of an important nature I must decide myself. What does the Emperor know? I have been very successful so far, but I never dreamt that the Boxer movement would end with such serious results for China. That is the only mistake I have made in my life. I should have issued an Edict at once to stop the Boxers practising their belief, but both Prince Tuan and Duke Lan told me that they firmly believed that the Boxers were sent by Heaven to enable China to get rid of all the undesirable and hated foreigners. Of course they meant mostly missionaries, and you know how I hate them and how very religious I always am, so I thought I would not say anything then but would wait and see what would happen. I felt sure they were going too far as one day Prince Tuan brought the Boxer leader to the Summer Palace and summoned all the eunuchs into the courtyard of the Audience Hall and examined each eunuch on the head to see if there was a cross. He said, 'This cross is not visible to you, but I can identify a Christian by finding a cross on the head.' Prince Tuan then came to my private Palace and told me that the Boxer leader was at the Palace Gate and had found two eunuchs who were Christians and asked me what was to be done. I immediately became very angry and told him that he had no right to bring any Boxers to the Palace without my permission; but he said that this leader was so powerful that he was able to kill all the foreigners and was not afraid of the foreign guns, as all the gods were protecting him. Prince Tuan told me that he had witnessed this himself. A Boxer shot another with a revolver and the bullet hit him, but did not harm him in the least. Then Prince Tuan suggested that I hand these two eunuchs supposed

Prince Tuan's reports

to be Christians to the Boxer leader, which I did. I heard afterwards that these two eunuchs were beheaded right in the country somewhere near here. This chief Boxer came to the Palace the next day, accompanied by Prince Tuan and Duke Lan, to make all the eunuchs burn incense sticks to prove that they were not Christians. After that Prince Tuan also suggested that we had better let the chief Boxer come every day and teach the eunuchs their belief; that nearly all of Peking was studying with the Boxers. The next day I was very much surprised to see all my eunuchs dressed as Boxers. They wore red jackets, red turbans and yellow trousers. I was sorry to see all my attendants discard their official robes and wear a funny costume like that. Duke Lan presented me with a suit of Boxer clothes. At that time Yung Lu,* who was the head of the Grand Council, was ill and asked leave of absence for a month. While he was sick, I used to send one of the eunuchs to see him every day, and that day the eunuch returned and informed me that Yung Lu was quite well and would come to the Palace the next day, although he still had fifteen days more leave. I was puzzled to know why he should give up the balance of his leave. However, I was very anxious to see him, as I wished to consult him about this chief Boxer. Yung Lu looked grieved when he learned what had taken place at the Palace, and said that these Boxers were nothing but revolutionaries and agitators. They were trying to get the people to help them to kill the foreigners, but he was very much afraid that the result would be against the Government. I told him that probably he was right, and asked him what should be done.

Prince Tuan versus Jung Lu

He told me that he would talk to Prince Tuan, but the next day Prince Tuan told me that he had had a fight with Yung Lu about the Boxer question, and said that all of Peking had become Boxers, and if we tried to turn them, they would do all they could to kill everyone in Peking, including the Court; that they (the Boxer party) had the day selected to kill all the foreign representatives; that Tung Fou Hsiang, a very conservative General and one of the Boxers, had promised to bring his troops out to help the Boxers to fire on the Legations. When I heard this I was very much worried and anticipated serious trouble, so I sent for Yung Lu at once and kept Prince Tuan with me. Yung Lu came, looking very much worried, and he was more so after I had told him what the Boxers were going to do. He immediately suggested that I should issue an Edict saying that these Boxers were a secret society and that no one should believe their teaching, and to instruct

*I. e., Jung Lu.

the Generals of the nine gates to drive all the Boxers out of the city at once. When Prince Tuan heard this he was very angry and told Yung Lu that if such an Edict was issued, the Boxers would come to the Court and kill everybody. When Prince Tuan told me this, I thought I had better leave everything to him. After he left the Palace, Yung Lu said that Prince Tuan was absolutely crazy and that he was sure that these Boxers would be the cause of a great deal of trouble. Yung Lu also said that Prince Tuan must be insane to be helping the Boxers to destroy the Legations; that these Boxers were a very common lot, without education, and they imagined the few foreigners in China were the only ones on the earth and if they were killed it would be the end of them. They forgot how very strong these foreign countries are, and that if the foreigners in China were all killed, thousands would come to avenge their death. Yung Lu assured me that one foreign soldier could kill one hundred Boxers without the slightest trouble, and begged me to give him instructions to order General Nieh, who was afterwards killed by the Boxers, to bring his troops to protect the Legations. Of course I gave him this instruction at once, and also told him that he must see Prince Tuan at once and Duke Lan to tell them that this was a very serious affair and that they had better not interfere with Yung Lu's plans. Matters became worse day by day and Yung Lu was the only one against the Boxers, but what could one man accomplish against so many? One day Prince Tuan and Duke Lan came and asked me to issue an Edict ordering the Boxers to kill all the Legation people first and then all remaining foreigners. I was very angry and refused to issue the Edict. After we had talked a very long time, Prince Tuan said that this must be done without delay, for the Boxers were getting ready to fire on the Legations and would do so the very next day. I was furious and ordered several of the eunuchs to drive him out, and he said as he was going out: 'If you refuse to issue that Edict I will do it for you whether you are willing or not,' and he did. After that you know what happened. He issued these Edicts unknown to me and was responsible for a great many deaths. He found that he could not carry his plans through and heard that the foreign troops were not very far from Peking. He was so frightened that he made us all leave Peking." As she finished saying this, she started to cry, and I told her that I felt very sorry for her. She said: "You need not feel sorry for me for what I have gone through; but you must feel sorry that my fair name is ruined. That is the only mistake I have made in my whole life and it was done in a moment of weakness. Before, I was just like a piece of pure jade; every one admired me for what I have

Tz'ŭ Hsi's blame for Prince Tuan

done for my country, but the jade has a flaw in it since this Boxer Movement and it will remain there to the end of my life. I have regretted many, many times that I had such confidence in, and believed that wicked Prince Tuan; he was responsible for everything."

A brief account of a "Progress" of the Dowager Empress and her court from the Forbidden City in Peking to the Summer Palace in the Western Hills is given by a young American, Willard Straight, at one time on the staff of Sir Robert Hart, and later prominent in international financial circles in Peking. It is a somewhat different picture from the one of the young Yehonala climbing to power in 1861, or of the fearful fugitive leaving at four o'clock in the morning after the relief of the Legations in 1900. This fleeting glimpse is of the empress two years after the flight to Shensi.

341. A glimpse of the Empress Dowager

Just at the bridge we met the vanguard of the procession, officials in furs and embroidery mounted on mules and ponies came riding down upon us, ordering us summarily out of the way. Finally, just as the first troops came on, we were hustled off to the right of the bridge, and here on a pile of dirt we watched the Empress Dowager go by in her yellow chair. She was a nice-looking little old lady with a Roman nose, brown and neat. She looked from side to side, evidently taking in everything but neither smiling nor bowing to the crowd. After her came a muddle of lancers and bowmen, the weapons of the bowmen being incased in splendid leather covers.

The whole affair was a confused jumble of color, of drums and bugles, glistening bayonets, waving banners, shouting men, red-coated chair-bearers, silk-clad officials, calling, jostling, pushing this way and that. The Empress went on to the boat-house, alighted, and went in for tiffin.

A report of one of the discussions between Tz'ŭ Hsi and her Lady in Waiting, Der Ling, has been given above. At another time, when the subject of the Boxers came up, the empress delivered herself of her ideas on the question

of missions, Christianity, and foreign missionaries, to her friend. The empress's personal account of her flight is of importance. At a time when all was confusion the empress retained control of herself, and dominated those around her.

342. Tz'ŭ Hsi's ideas on missionaries

"America is always very friendly towards China, and I appreciate their nice behavior at the Palace during the twenty-sixth year of Kwang Hsu (1900), but I cannot say that I love the missionaries, too. Li Lien Ying told me that these missionaries here give the Chinese a certain medicine, and that after that they wish to become Christians, and then they would pretend to tell the Chinese to think it over very carefully, for they would never force anyone to believe their religion against their own will. Missionaries also take the poor Chinese children and gouge their eyes out, and use them as a kind of medicine." I told her that that was not true; that I had met a great many missionaries, and that they were very kind-hearted and willing to do anything to help the poor Chinese. I also told her what they had done for the poor orphans—given them a home, food and clothing; that sometimes they went into the interior and found the blind children who might be useless to their parents, and when they get them they have to support them. I know several cases like that. These country people offer their deformed children to the missionaries, as they are too poor to feed and take care of them. I told her about their schools, and how they helped the poor people. Her Majesty then laughed, and said: "Of course I believe what you say, but why don't these missionaries stay in their own country and be useful to their own people?" I thought it would be of no use for me to talk too much, but at the same time I would like her to know of the dreadful times some of the missionaries had in China. Some time ago, two of them were murdered at Wu Shuih, in June, 1892 (a little below Hankow), the church being burnt down by the mob. My father was appointed by Viceroy Chang Chih Tung to investigate the matter. After much trouble he caught three of the murderers and, according to the Chinese law, they were put to death by hanging in wooden cages, and the Government paid an indemnity to the families of the murdered missionaries. The year after, 1893, a Catholic church was burnt down at Mar Cheng, on the Yangtse, near Ichang. The mob said they saw many blind children at the church, who were made to work after having their eyes gouged out. The Prefect of Ichang Province said it

was true that missionaries did get the Chinese children's eyes for making medicine, so my father suggested having those blind children brought into the Yamen and ask them. The Prefect was a most wicked man, and was very anti-foreign also. He gave the poor children plenty of food, and taught them to say that the missionaries did gouge their eyes out, but when they were brought in the next day they said that the missionaries treated them very kindly and gave them a nice home, good food and clothing. They said they were blind long before they became Christians, and also said that the Prefect had taught them to say that the missionaries were cruel to them, which was not true. The blind children begged to go back to the school and said that they were very happy there.

Her Majesty said: "That may be all right for them to help the poor and relieve their suffering. For instance, like our great Buddha Ju Lai, who fed the hungry birds with his own flesh. I would love them if they would leave my people alone. Let us believe our own religion. Do you know how the Boxer rising began? Why, the Chinese Christians were to blame. The Boxers were treated badly by them, and wanted revenge. Of course that is always the trouble with the low class of people. They went too far, and at the same time thought to make themselves rich by setting fire to every house in Peking. It made no difference whose house. They wanted to burn so long as they could get money. These Chinese Christians are the worst people in China. They rob the poor country people of their land and property, and the missionaries, of course, always protect them, in order to get a share themselves. Whenever a Chinese Christian is taken to the Magistrate's Yamen, he is not supposed to kneel down on the ground and obey the Chinese law, as others do, and is always very rude to his own Government Officials. Then these missionaries do the best they can to protect him, whether he is wrong or not, and believe everything he says and make the Magistrate set the prisoner free. Do you remember that your father established rules in the twenty-fourth year of Kwang Hsu, how the Chinese officials should treat the Bishops whenever they had dealings with each other? I know the common class of people become Christians—also those who are in trouble—but I don't believe that any of the high officials are Christians." Her Majesty looked around and whispered: "Kang Yue Wai (the reformer in 1898) tried to make the Emperor believe that religion. No one shall believe as long as I live. I must say that I admire the foreigners in some ways. For instance, their navies, and armies, and engineers, but as regards civilization, I should say that China is the first country by all means. I know

that many people believe that the Government had connections with the Boxers, but that is not true. As soon as we found out the trouble we issued several Edicts, and ordered the soldiers to drive them out, but they had gone too far already. I made up my mind not to go out of the Palace at all. I am an old woman, and did not care whether I died or not, but Prince Tuan and Duke Lan suggested that we should go at once. They also suggested that we should go in disguise, which made me very angry, and I refused. After the return of the Court to Peking, I was told that many people believed that I did go in disguise, and said that I was dressed in one of my servant's clothes, and rode in a broken cart drawn by a mule, and that this old woman servant of mine was dressed as the Empress Dowager, and rode in my sedan chair. I wonder who made that story up? Of course everyone believed it, and such a story would get to the foreigners in Peking without any trouble.

and her account of the flight of the court

"Now to come back to the question of the Boxer Rising. How badly I was treated by my own servants. No one seemed anxious to go with me, and a great many ran away before the Court had any idea of leaving the Capital at all, and those who stayed would not work, but stood around and waited to see what was going to happen. I made up my mind to ask and see how many would be willing to go, so I said to everyone: 'If you servants are willing to go with me, you can do so, and those who are not willing, can leave me.' I was very much surprised to find that there were very few standing around listening. Only seventeen eunuchs, two old women servants and one servant girl, that was Sho Chu. Those people said they would go with me, no matter what happened. I had 3,000 eunuchs, but they were nearly all gone before I had the chance of counting them. Some of the wicked ones were even rude to me, and threw my valuable vases on the stone floor, and smashed them. They knew that I could not punish them at that important moment, for we were leaving. I cried very much and prayed for our Great Ancestors' Souls to protect us. Everyone knelt with me and prayed. The Young Empress was the only one of my family who went with me. . . . I had a very hard time traveling in a sedan chair, from early morning, before the sun rose, until dark and in the evening had to stop at some country place. I am sure you would pity me, old as I am, that I should have had to suffer in that way.

"The Emperor went all the way in a cart, drawn by a mule, also the Empress. I went along; and was praying to our Great Ancestors for protection, but the Emperor was very quiet, and never opened his mouth. One day something happened. It rained so much and some of the chair

carriers ran away. Some of the mules died suddenly. It was very hot, and the rain was pouring down on our heads. Five small eunuchs ran away also, because we were obliged to punish them the night before on account of their bad behavior to the Magistrate who did all he could to make me comfortable, but of course food was scarce. I heard these eunuchs quarreling with the Magistrate, who bowed to the ground, begging them to keep quiet, and promised them everything. I was of course very angry. Traveling under such circumstances one ought to be satisfied that one was provided for.

"It took us more than a month before we reached Shi An. I cannot tell you how fatigued I was, and was of course worrying very much, which made me quite ill for almost three months. So long as I live I cannot forget it.

"We returned to Peking early in the twenty-eighth year of Kwang Hsu and I had another dreadful feeling when I saw my own Palace again. Oh! it was quite changed; a great many valuable ornaments broken or stolen. All the valuable things at the Sea Palace had been taken away, and some one had broken the fingers of my white jade Buddha, to whom I used to worship every day. Several foreigners sat on my throne and had their photos taken. When I was at the Shi An I was just like being sent into exile, although the Viceroy's Yamen was prepared for us, but the building was very old, damp and unhealthy. The Emperor became ill. It would take a long time to tell you everything; I thought I had enough trouble, but this last was the worst. When I have time, I will tell you more about it. I want you to know the absolute truth."

One of the classics on the Boxer period is Mr. Putnam-Weale's *Indiscreet Letters from Peking* From this is taken the account of the relief of the legations. The siege of these lasted from June 20 to August 14, when an international force of Japanese, Russian, British, American, French, Austrian, and Italian soldiers reached Peking. The American flag was first on the walls of the city; the British were the first to enter the legations at three o'clock in the afternoon. Two days later the Pehtang cathedral's siege was raised.

**343. The relief of the Legations**

I remained on this wall-top idly gazing until my vision began to become blurred, and I could no longer see. Then something made me close my eyes for a second to regain

command over them again; and when I opened them and looked again through that powerful Leiss, my jaw dropped. This time, with a vengeance, it was something new. Dense bodies of men in white tunics and dark trousers were debouching into the street, thousands of yards away, and were then marching due east—that is, toward the palace. They came on and on, until it seemed they would never cease. What were these new comers? Were they white troops at last—were they Bannermen of the white Banners? . . .

They might be anything—anything in the world—but they might be. . . .

Yes, without a doubt, they might be ordinary Russian infantry of the line. Russian infantry of the line! It was imperative to learn.

I clambered off the wall and decided at once on a grim test. All of us pushed up our flaps to the extreme range and gave four sharp volleys—the eight rifles crashing off jarringly together. As we were preparing to give them the last cartridge on the clips, the white specks we could just see with the naked eye stopped and flickered away. Then, as we waited, there was a moment's silence; a little vapour spurted up far away, and bang! a shell whizzed, and burst two hundred yards to our rear. That was an immense surprise! But now we had no doubts; these were all over; we must communicate the news. . . .

Before our ideas had grouped themselves coherently, we found ourselves bolting home—bolting like madmen. We charged clear down the middle of the street, with a disregard for everything; we headed straight as arrows for the French lines, right through the heart of the most formidable Chinese works, where but twelve hours before furious attacks had been developed. We tore through hundreds of feet of trenches, barricades, saps, half-opened tunnels, where everything was scored and beaten by the riotous passage of nickel and lead. We vaguely saw, as we rushed, lines of mat-huts, broken walls, charred timbers, countless brass cartridge-cases, gaping holes—all the wreckage left by these weeks of insane warfare. But of living things there was not a trace.

Beating our way rapidly forward, we at length passed through those death-strewn French Legation lines, and reached our own last barricades, where the defence had been driven. Supposing that our men were still behind them, we violently shouted that we were friends. Nobody answered us.

Curiously alarmed, we clambered forward more and more quickly, and at last near the fortified little Hotel De Pékin a confused sound of voices arose from a stoutly fortified quadrangle. Then as we drew nearer the voices grew, until

they framed themselves into half-suppressed cheers—a multitude of men uneasily greeting and calling to one another. At least, we had not been abandoned! I put my leg up to swarm over a wall, and suddenly a thick smell greeted my nostrils, a smell I knew, because I had smelt it before, and yet a smell which belonged to another world. . . . With tremendous heart-beating I looked over. It was the smell of India! Into this quadrangle beyond hundreds of native troops were filing and piling arms. They were Rajputs, all talking together, and greeting some of our sailors and men, and demanding immediately *pane*, *pane*, *pane* all the time in a monotonous chorus. I could not understand that word. The relief had come; this must be some sections of an advance guard, which had been flung forward, and had burst in unopposed. . . .

We hurried forward in a sort of daze and looked for officers, to ask them how they had come, and whether it was all right. We found a knot of them, standing together, wiping the sweat from their streaming faces, and calling for water. They wanted to go to the British Legation; not to this place—what was it; where was the British Legation? In the heat and smell and excitement those continuous questions made one confused and angry. This advance guard which had rushed in could not understand our all-split area; yet it had been the saving of us. I told them where the British Legation was. I told them to follow me; I was going to run.

I ran on, once more choking a little, and with a curious desire to weep or shout or make uncouth noises. I was now terribly excited. I remember I kicked my way through barricades with such energy that once for my foolishness I came crashing down, my rifle loosing off of its own account and the bullet passing through my hat. I did not care; the relief had come. It was an immense occasion, and I had not been there to see it.

Along the dry canal-bed, as I ran out of the Legation Street, I noted without amazement that tall Sikhs were picking their way in little groups, looking dog-tired. But they were very excited, too, and waved their hands to me as I ran, and called and cried with curious intonations. Pioneers, smaller men, in different turbans, were already smashing down our barricades, and clearing a road, and from the west, the Palace side, a tremendous rifle and machine-gun fire was dusting endlessly. I rushed into the British Legation through the canal open-cut, and here they were, piles and piles of Indian troops, standing and lying about waving and talking. A British general and his Staff were seated at a little table that had been dragged out, and were now drinking

as if they, too, had been burnt dry with thirst. Around all our people were crowding a confused mass of marines, sailors, volunteers, Ministers—everyone. Many of the women were crying and patting the sweating soldiery that never ceased streaming in. People you had not seen for weeks, who might have, indeed, been dead a hundred times without your being any the wiser, appeared now for the first time from the rooms in which they had been hidden and acted hysterically. They were pleased to rush about and fetch water and begin to tell their experiences. All that day, I was told, these hidden ones had taken a sudden interest in the hospital; had roused themselves from their lethargy and fright, because the end was coming.

As we stood about, twisting our fingers and cheering, and trying to find something sensible to say or to do, there was a rush of people towards the lines connecting with the American Legation and the Tartar Wall. This caused another tremendous outburst of cheering and counter-cheering, and led by C—, the American Minister, columns of American infantry in khaki suits and slouch hats came pressing in. In they came—more and more men, until the open squares were choking with them. These men were more dog-tired than the Indian troops, and their uniforms were stained and clotted with the dust and sweat flung on them by the rapid advance. Soon there were such confusion and excitement that all order was lost, until the Americans began filing out again, and the native troops were pushed to the northern line of defenses. In the turmoil and delight everything had been temporarily forgotten, but the growing roar of rifles had at length called attention to the fact that there might be more fierce fighting. Every minute added to the din, and soon the ceaseless patter of sound showed machine-guns were firing like fury. Somebody called out to me that there was a fine sight to be seen from the Tartar Wall, for those who did not mind a few more bullets; and, enticed by the storm of sound that rose ever higher and higher, I ran hastily through our lines towards the city bastions. Every street and lane from the Ch'ien Men Gate was now choked with troops of the relieving column, all British and American, as far as I could see, and already the pioneers attached to each battalion were levelling our rude defenses to the ground in order to facilitate the passage of the guns and transport waggons. . . . Strange cries smote one's ears—all the cursing of armed men, whose discipline has been loosened by days of strain and the impossibility of manœuvring. One word struck me and clung to me again; everybody amongst the Indian troops was crying it: "*Chullo, chullo, chullo,*" they were calling.

## *Section 60. End of the Rebellion, and the Diplomatic Settlement*

With the collapse of the Boxer movement and the entrance of Western troops into Peking as conquerors for the second time, the empress realized that change and reform were inevitable, and that if they did not come from within they would come from without, as they had been gradually doing during the past three quarters of a century, with results not always beneficial to China. More than seven months before the final peace protocol was signed and almost a year before the court returned to Peking from Hsian-fu, the empress issued, on the twenty-eighth of January, a decree announcing her intention to begin a scheme of reform—although Kang Yu-wei and his party were declared to have been treasonable in their designs. This document has been described as forming "the foundation of the imperial plans for reform of the past decade,"* that is, of the period preceding the Revolution.

**344. Tz'ŭ Hsi's Reform Edict of January 28, 1901**

There are certain eternal principles which from the beginning of time have remained constant without change, and will thus for ever continue. Of human ordinances there is none so permanently established that it cannot be subject to alteration. In the Canon of Changes (I Ching) it is written that 'when a measure has lost effective force the time for adapting it to modified conditions has arrived.' And the Master in the Analects stated that, 'it may be known wherein the various dynasties took from or added to the regulations of their predecessors.'

Now as the Sun and Stars in the Heavens shed constant light on the world, so do the three cardinal virtues and the five constituents of worth remain for ever immutable. But there is no more objection to altering any particular human ordinance than there is in putting fresh strings to a lute or a guitar. Throughout the ages successive generations have

*Kent, *Passing of the Manchus*, p. 26.

introduced new methods or abolished effete institutions. And all our ancestors have similarly, as occasion demanded, from time to time suited the requirements of Government to existing circumstances.

The conditions under which the Dynasty ruled after the passage of the Great Wall differed from those which obtained while it was at Mukden, and how can the system of Government in force in the times of Yung Cheng and Ch'ien Lung apply in its entirety to the period after Chia Ch'ing and Tao Kuang? As a rule laws become obsolete in course of time, and once obsolete require to be revised, and made to subserve their primary object of strengthening the State and benefiting the people.

Since the removal of the Court, day and night is the Empress-Dowager consumed with anxiety, and We Ourselves do not cease from vehement self-reproach, when we reflect to how great an extent the accumulated and continued abuses and the perfunctory and specious routine of the last tens of years have contributed towards the present calamitous situation.

Now that peace negotiations have commenced the whole system of government must be radically reformed, in the hope that strength and prosperity may gradually be attained. The Empress-Dowager has enjoined on Us the necessity of appropriating the good qualities of foreign nations, so that by aid thereof the shortcomings of China may be supplemented, and that the experiences of the past may serve as a lesson for the future.

Since 1897 and 1898 disturbances, based on fictitious grounds, have been of constant occurrence, and the instigators thereof have unwarrantably assumed the title of reformers. The evil caused by the rebels of the K'ang faction has been even greater than that brought about by those dealers in magic—the Boxers. Even though the former have fled to far countries across the seas, they still continue to lead men astray with their Pu-yu and Kuei-wei* certificates of membership, and incite to rebellion. They further, by raising the false cry of upholding the Emperor and supporting the race, seek to create dissension in the Court itself.

Kang Yu-wei a revolutionist, not a reformer

Now it is well known that new schemes propounded by the K'ang rebels are those of revolutionaries and not reformers. Taking advantage of Our indisposition they secretly plotted sedition, and it was only by an appeal for guidance on our part to the Empress-Dowager that We were saved from immediate peril, and the evil was rooted

*A play on the name of Kang Yu-wei.

out in the course of a day. Can any one bring proof, however, that in suppressing such insurrectionary movement the Empress-Dowager declined to sanction reform on progressive lines? Or can any one assert that in balancing the arguments against and in favor of old institutions We advocated a complete abolition thereof? Our officers and Our people must be aware that Mother and Son were actuated by one and the same motive, namely to steer the ship of state on a course midway between the two extremes, and that once having made choice of a path tending to perfection they would continue to pursue the same.

We have now received Her Majesty's instructions to use the utmost endeavor to bring about improvements, strictly to interdict the use of the terms new and old, and to make away with all distinction between what is Chinese and what is foreign. The curses of China are the deep hold inveterate habit has on the people, the intricate ramification of her method of literary composition, the great prevalence of mediocrity and the notable absence of conspicuous talent. The average literary composer flounders about in pools of ink, the clerks and yamen runners make fortunes on the strength of their official position. The conduct of public business consists merely in the passing to and fro of official papers, no serious object being aimed at. The promotion of rising men is hampered by the rules of seniority, and as a consequence the standard of intellectual attainment is being lowered from day to day. The advancement of personal interests is the bane of Administration and adherence to prescribed usage is the ruin of the country. Hitherto those who have studied Western methods have confined themselves to an examination of Western languages, literature, manufactures, weapons, and machinery. These are but the rudimentary methods of Western skill. They are by no means the original source whence is derived the statecraft of the West. The precepts handed down by Our Ancestors and which correspond with the fundamental principles on which Western prosperity and power are based are, 'high station filled with indulgent generosity,' 'a liberal forbearance exercised in presiding over the multitude,' 'sincerity of speech,' and 'execution of purpose.' If China does not devote her whole attention to subjects such as these, but contents herself with acquiring a few words here and there, learning this trade or that craft, while still retaining the old corrupt practices of currying favor with others to benefit oneself, how can she become powerful and prosperous? How can she expect to become so if, disregarding fundamental principles, she limits her studies to rudimentary elements and does not even take the trouble to master these?

To sum up, old methods must be revised, confirmed abuses be rooted out, and if any regeneration is to be looked for complete reform must be taken into consideration.

Reform programs to be submitted immediately

We therefore hereby call upon the members of the Grand Council, the Grand Secretaries, the Six Boards and Nine Ministers, Our various Envoys abroad, the Governors-General and Governors of Provinces, each and all maturely to reflect on the present situation and consider in how far Chinese and Western principles of government apply thereto. Within a period of two months let each submit for Our information detailed proposals, embodying his views and stating what he knows with regard to the following subjects: Dynastic institutes, principles of government, the best means of promoting the welfare of the people, educational establishments, systems of examination, military organisation, and financial administration. They will each duly weigh what can be adopted and what rejected, in what direction economies can be effected or amalgamation take place. They must either seek knowledge at the hands of others or, relying on their own mental resources, strive to discover by what means the prestige of the nation can be rehabilitated, natural talent fostered, internal revenue expanded, and the military forces placed on a proper footing. When this shall have been done, We will report to the Empress-Dowager and in consultation with her Majesty, acting on Her advice, will adopt what methods seem best calculated to further the ends in view and forthwith proceed to carry them into execution.

Several Memorials had been sent in in response to Our orders issued at Tai Yuan, calling for expressions of opinion, but the majority thereof can be divided into two classes. The one repeats the journalistic claptrap of newspaper editors, and the other dishes up the shallow views of pedantic students. The one proposes with curious unanimity reforms of all kinds, but every proposal is vitiated by the persistent bias exhibited. The other realises the good but leaves out of sight what is harmful, with the result that all these proposals are characterized by impracticability. Recently appointed officials when discussing prosperity and power, have a habit of ignoring the principles underlying these expressions which have previously been taught them, and simple scholars who prate of proper learning are for the most part destitute of knowledge of the world. Ye Metropolitan and other Officials must therefore avoid both these errors. When making suggestions or advocating any modifications or changes ye must exercise most careful discrimination.

Real reform depends upon the ruler

What is more important than devising schemes of good government is to obtain an individual capable of governing. Given such a person there will be no difficulty in reforming

bad methods, while failing him good methods cannot come into operation of themselves. If when judging a man ye do not regard his many shortcomings, or if at the same time ye fail to take note of the one pre-eminent quality he may possess, if ye assume that rigid adherence to the written text implies a faithful discharge of your duties or that a blind following of former precedent is in accordance with rule, then all reforms, whether in the direction of instituting new methods or sweeping away old abuses, will gradually cease to have any good result. Again, if ye entrust the task of carrying out such reforms to officials who are constantly changing, then will ensue an irremediable state of evils such as We at present deplore. The first essential towards removing such evils is the cultivation of a public spirit as opposed to the prevailing self-seeking tendency, and the last desideratum is the discarding of sham and pretence coupled with a resolute resolve to do one's duty in the most efficient manner possible.

When the new leaf shall have been turned over and reforms introduced, it will be more than ever necessary to select upright and capable men to discharge the functions of office, and everyone, in high places and in low, must take heed to his steps.

The Empress-Dowager and Ourselves have long pondered these subjects in Our hearts. Now however that matters have reached a crisis, change must take place, and safety and danger, strength and weakness, all depend on how the change is effected.

Should any hereafter pursue the old courses of callous indifference and perfunctory neglect, confine the discharge of his duties to empty words or seek ease by shirking them, We would point out that the statutes of Government are as yet unrepealed and that no leniency will be displayed in enforcing them.

This edict is to be promulgated for the information of all.

The repentant attitude of the court was shown further in an edict issued about two weeks later than the above, on February 13, 1901. In this the empress "explains" how it was that affairs had been as they had. Expunging of records and of disagreeable memories became the order of the day.

345. Edict of explanation of February 13, 1901

In the summer of last year, the Boxers, after bringing about a state of war, took possession of our Capital and dominated the very Throne itself. The Decrees issued at that

time were the work of wicked princes and Ministers of State, who, taking advantage of the chaotic condition of affairs, did not hesitate to issue documents under the Imperial seal, which were quite contrary to our wishes. We have on more than one previous occasion hinted directly at the extraordinary difficulty of the position in which we were placed, and which left us no alternative but to act as we did. Our officials and subjects should have no difficulty in reading between the lines and appreciating our meaning.

We have now punished all the guilty, and we hereby order that the Grand Secretariat shall submit for our perusal all Decrees issued between the 24th day of the 5th Moon and the 20th day of the 7th Moon (20 June to 14th August), so that all spurious or illegal documents may be withdrawn and cancelled. Thus shall historical accuracy be attained and our Imperial utterances receive the respect to which they are properly entitled.

The American Secretary of State is always intimately connected with the foreign policy of his government. Mr. John Hay was holding this position during the Boxer period in China. His interest in Chinese affairs, and especially in the territorial integrity of the country, has already been mentioned. His open-door policy was seriously threatened by the events of the summer of 1900: the danger of partition loomed graver than ever because of German and Russian aims. To Secretary Hay it was largely due that the Chinese government was as leniently dealt with as it was. On September 20, he stated his policy in settling the difficulties in China.

346. Secretary Hay's views on the Boxer upheaval

About China, it is the devil's own mess. We cannot possibly publish all the facts without breaking off relations with several Powers. We shall have to do the best we can, and take the consequences, which will be pretty serious, I do not doubt. 'Give and take'—the axiom of diplomacy to the rest of the world—is positively forbidden to us, by both the Senate and public opinion. We must take what we can and give nothing—which greatly narrows our possibilities.

I take it, you agree with us that we are to limit as far as possible our military operations in China, to withdraw our troops at the earliest day consistent with our obligations,

and in the final adjustment to do everything we can for the integrity and reform of China, and to hold on like grim death to the Open Door.

On October 16, Mr. Hay commented in no uncertain terms, on the German policy and particularly on Count von Waldersee's ill-advised punitive expedition to Paotingfu.

**347. The German punitive expedition to Paotingfu**

Everything appeared to be going well until this promenade of Waldersee's to Tao Ping, which I fear will have very unfavorable results upon the rest of China. The Great Viceroys, to secure whose assistance was our first effort and our success, have been standing by us splendidly for the last four months. How much longer they can hold their turbulent populations quiet in the face of constant incitements to disturbance which Germany and Russia are giving is hard to conjecture. . . .

The success we had in stopping that first preposterous German movement when the whole world seemed likely to join in it, when the entire press of the Continent and a great many on this side were in favor of it, will always be a source of gratification. . . . The moment we acted, the rest of the world paused, and finally came over to our ground; and the German Government, which is generally brutal but seldom silly, recovered its senses, climbed down off its perch, and presented another proposition which was exactly in line with our position.

On November 21, in writing a personal letter to his friend Henry Adams, the distinguished historian and traveler, the Secretary of State commented further upon the Chinese situation:

**348. Germany's policy of assertion**

. . . What a business this has been in China! So far we have got on by being honest and naif—I do not clearly see where we are to come the delayed cropper? But it will come. At least we are spared the infamy of an alliance with Germany. I would rather, I think, be the dupe of China, than the chum of the Kaiser. Have you noticed how the world will take anything nowadays from a German? Bülow said yesterday in substance—'We have demanded of China everything we can think of. If we think of anything else we will demand that, and be d—d to you'—and not a man in the world kicks.

My heart is heavy about John Bull. Do you twig his attitude to Germany? When the Anglo-German pact came

out, I took a day or two to find out what it meant. I soon learned from Berlin that it meant a horrible practical joke on England. From London I found out what I had suspected, but what it astounded me, after all, to be assured of—THAT THEY DID NOT KNOW! Ge many proposed it, they saw no harm in it, and signed. When Japan joined the pact, I asked them why. They said, 'We don't know, only if there is any fun going on, we want to be in.' Cassini is furious—which may be because he has not been let into the joke.

The making of peace with the Western powers was not an easy thing for China, not because China was unwilling, but because the powers could not agree among themselves as to the demands to make. As in the case of most peace conferences each point presented an opportunity for oratory and strenuous debate.

**349. Attitude of the United States during peace negotiations**

The influence of the United States was plainly noticeable throughout the negotiations, especially in restraining radical measures and in modifying the action respecting the indemnities. While it supported the efforts to punish the really guilty leaders, and was firm in demanding measures which would guarantee the protection of American citizens and interests for the future, it manifested anxiety that nothing be done to cripple or impede the ability of China in the maintenance of a stable government and its territorial integrity. Hence it was necessary to continue in the concert of the powers and as far as possible control their action to that end.

Its success in bringing about an agreement for a lump sum for indemnities, to be apportioned among the nations, was of vast importance. If each power had acted separately respecting the indemnities, the one possible method other than a loan, which would have imposed foreign management of the revenues, would have been the occupation of sections of territory by the powers, each one utilizing its own sphere as a source of revenue in payment of claims. This condition once inaugurated would have been difficult to change.

The matter of indemnity was settled as indicated below. There were certain local indemnities to be paid. The Protestant missions that had suffered refused indemnities for the lives of their workers. In place of

money it was agreed that a university should be established in Shansi in which Western learning should be given Chinese students. This university was to be under joint control of Westerners and Chinese for a period of ten years; the funds were to come from the government. In connection with this subject it is worth noting that the American government remitted, in 1908, a large part of its indemnity to China on the condition that it be used for educational purposes. This was a condition suggested by the then American envoy in Peking, Mr. W. W. Rockhill, and it is the foundation of the Tsinghua scholarships for study in American colleges and universities, and of the college in Peking of that name.

**350. The amount of the indemnity**

The amount of the indemnity to be paid by China was finally fixed at 450,000,000 taels, payable in gold at the rate of exchange fixed in the protocol, with interest at four per centum, in annual payments covering thirty-nine years.*

The final protocol was signed on September 7, 1901, almost thirteen months after the arrival of the

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* The claims of the various governments were as follows:—

| COUNTRY | TAELS |
|---|---|
| Germany | 90,070,515 |
| Austria-Hungary | 4,003,920 |
| Belgium | 8,484,345 |
| Spain | 135,315 |
| United States | 32,939,055[1] |
| France | 70,878,240 |
| Portugal | 92,250 |
| Great Britain | 50,712,795[2] |
| Italy | 26,617,005 |
| Japan | 34,793,100 |
| Netherlands | 782,100 |
| Russia | 130,371,120 |
| International (Sweden and Norway, Tls. 62,820) | 212,490 |
| | 450,000,000 |

[1] The equivalent of $24,168,357 American gold.

[2] These figures are incorrect; they should read, $50,620,545.

international forces which relieved the legations. Eleven months had passed since the first demands of the allies had been formulated. Three of the countries whose representatives signed the protocol had taken no part in any of the military operations concerned with the rebellion. Several of the treaty powers were not represented at the signing. The terms of the protocol were accepted on December 27. This having been settled, and the foreign troops having withdrawn, the imperial court returned to Peking on January 7, 1902, having accomplished the last stage of its trip by railway train, that most modern and originally hated means of locomotion. The struggle for concessions in 1898, and the disputes in arranging peace in 1900–1901, should give food for thought to those foreigners or Chinese who advocate foreign intervention in China.

351. The International Protocol, September 7, 1901

The Plenipotentiaries :—

| | | |
|---|---|---|
| Of Germany | His Ex. | A. Mumm von Schwarzenstein |
| Of Austro-Hungary | „ | Czikann de Wahlborn |
| Of Belgium | „ | M. Joostens |
| Of Spain | „ | M. B. J. de Cologan |
| Of United States of America | „ | Hon. W. W. Rockhill |
| Of France | „ | M. P. Beau |
| Of Great Britain | „ | Sir Ernest Satow |
| Of Italy | „ | Marquis Salvago Raggi |
| Of Japan | „ | M. Jiutaro Komura |
| Of Holland | „ | M. F. M. Knobel |
| Of Russia | „ | M. M. de Giers |

and

Of China : His Highness I-Kuang, Prince of the first rank Ching . . .; and His Excellency Li Hung-Chang . . . have met in order to establish that China has announced her agreement to the satisfaction of the Powers, with the conditions which are set forth in the note of 22nd December, 1900, which were accepted as a whole by His Majesty the Emperor of China by an Edict of 27th December 1900 (annex 1).

Embassy of regret to Germany

Art. 1A.—By an Imperial Edict of 9th June of this year (annex 2) Tsai Fêng, Prince of first rank Chun, has been appointed Ambassador of H. M. the Emperor of China, and in this capacity has been commanded to express

to H. M. the German Emperor the regret of H. M. the Emperor of China and the Chinese Government for the death of the German Ambassador, His Excellency Baron von Ketteler.

Prince Chun left Peking on the 12th July of this year to carry out the Mission entrusted to him.

Von Ketteler Monument

ART. 1 B.—The Chinese Government has announced that it will erect, on the spot of the murder of His Excellency Baron von Ketteler, a Memorial Monument corresponding to the rank of the deceased, with an inscription in Latin, German, and Chinese, which shall express the regret of H. M. the Emperor of China for the murder done.

Their Excellencies the Chinese Plenipotentiaries have informed His Excellency the German Plenipotentiary by a letter of 22nd July of this year (annex 3) that an arch will be erected arcoss the entire breadth of the street on the spot mentioned and that the work was begun on the 25th June of this year.

Punishment of Boxer leaders

ART. II A.—Imperial Edicts of the 13th and 21st February, 1901 (annexes 4, 5 and 6) pronounce the following punishments upon the chief culprits for the attacks and crimes which took place against the friendly Governments and their subjects.

Tsai Yi, Prince Tuan, and Tsai Lan, Duke Fu Koo, have been condemned to death at the autumn assizes, and it is further determined that if the Emperor thinks their lives should be spared, they shall be banished to Turkestan and there shall be imprisoned for life, with no possibility that the punishment shall ever be commuted.

Tsai Hsün, Prince Chuang, Ying Nien, President of the Censorship and Chao Shu-chiao, President of the Board of Punishments, shall be condemned to commit suicide.

Yü Hsien, Governor of Shansi, Ch'i Hsiu, President of the Board of Ceremonies, Hsu Cheng-yü, formerly Director in the Board of Punishments, shall be condemned to death.

Degradation after death has been pronounced against Kang Yi, assistant member of the Grand Secretariat and President of the Board of Civil Office, Hsü Tung, member of the Grand Secretariat, and Li Ping-hêng, formerly Governor General of Szechuan.

An Imperial Edict of 13th February, 1901 (annex 7), has rehabilitated the memory of the President of the Board of War, Hsu Yung-yi, the President of the Board of Revenue, Li Shan, the Director of the Board of Civil Office, Hsü Ching-ch'eng, the Vice-Chancellor of the Grand Secretariat, Lien-yuan, and the Director of the Court of Sacrifices, Yuan Chang, who were executed because they protested against the unheard-of offences against international rights which took place during the last year.

Prince Chuang has committed suicide on the 21st February, 1901; Ying Nien and Chao Shu-chiao on the 24th; Yü Hsien has been executed on the 22nd February, 1901; C'hi Hsiu and Hsü Cheng-yü on the 26th.

The General of Kansu, Tung Fu-hsiang, has been deprived of his office by Imperial Edict of 13th February, 1901, until it shall be decided what final punishment shall be pronounced against him.

Imperial Edicts of 29th April, and of 19th August, 1901, have pronounced suitable punishments against Provincial authorities who confessedly have been guilty of crimes or murder during the course of last summer.

Official examinations

ART. II B.—An Imperial Edict which was promulgated on the 19th August, 1901 (annex 8), has ordered the suspension of the official examinations during five years, in all towns where foreigners were murdered or were subjected to harsh treatment.

Embassy of regret to Japan

ART. III.—In order to make suitable amends for the murder of Mr. Sugiyama, Chancellor of the Japanese Legation, H. M. the Emperor of China, by an Imperial Edict of 18th June, 1901 (annex 9), has appointed the Vice-President of the Ministry of Finance, Na Tung, and Extraordinary Ambassador, and commanded him in particular to convey to H. M. the Emperor of Japan the expression of the regret of H. M. the Emperor of China and his Government for the murder of Mr. Sugiyama.

Monuments in desecrated cemeteries

ART. IV.—The Chinese Government has undertaken to erect an expiatory monument in each of the foreign or international cemeteries which has been desecrated or in which grave monuments have been destroyed. . . .

Importation of arms forbidden

ART. V.—China has agreed to forbid the importation of arms and ammunition as well as of all material exclusively employed for the manufacture of arms and of ammunition.

An Imperial Edict was published on 25th August, 1901 (annex 11), which forbids such importations for two years.

Futher Edicts may be promulgated in the future in order to extend this period every two years, in case the Powers deem it necessary.

Indemnity

ART. VI.—In an Imperial Edict of 22nd May, 1901, H. M. the Emperor of China has undertaken to pay the Powers an indemnity of 450 millions Haikuan taels. This sum represents the total of the indemnity for the States, societies, individuals and Chinese which are mentioned in Article 6 of the note of 22nd December, 1900.

(*a*)—These 450 million taels form a debt in gold in which the rate of the Haikuan tael is calculated in the gold currency of each country in the following manner:—

| | | |
|---|---|---|
| 1 Haikuan Tael = | Marks | 3.055 |
| | Austro-Hungarian Kroners | 3.595 |
| | Gold Dollar | 0.742 |
| | Francs | 3.750 |
| | Pound Sterling, Shanghai | 3s 0d |
| | Yen | 1.407 |
| | Dutch Gulden | 1.796 |
| | Gold Rouble (at the rate of Dolies 17.424) | 1.412 |

This sum in gold shall bear interest at the rate of 4 per cent a year and the principal is to be reimbursed by China in thirty-nine years on the conditions indicated in the plan of amortisation annexed hereto (annex No. 13). The capital and interest will be payable in gold or at the rate of exchange corresponding to the different dates of maturity.

The operation of the amortisation will commence on the 1st January, 1902, and end at the expiration of the year 1940. The amortisations will be payable annually, the first date of maturity being fixed as the 1st January, 1903. . . .

The legation quarter

ART. VII.—The Chinese Government has agreed that the quarter occupied by the Legations shall be considered as a quarter specially reserved to their usage and placed under their exclusive police, where the Chinese shall not have the right to reside, and which may be put into a state of defence. . . .

By the protocol annexed to the letter of 16th January, 1901, China has recognised that each Power has the right to retain a permanent guard in the said quarter for the defence of its Legation.

Destruction of Taku Forts

ART. VIII.—The Chinese Government has consented to have the Taku forts razed, and those which could prevent free communication between Peking and the sea.

Dispositions have been taken to this effect.

Military occupation of certain points

ART. IX.—The Chinese Government has recognized that the Powers, by the protocol annexed to the letter of the 16th January, 1901, have the right to occupy certain points to be determined by agreement between them, in order to maintain free communication between the capital and the sea.

The points occupied by the Powers are—Huangtsun, Langfong, Yangtsun, Tientsin, Ch'ênliangch'eng, Tangku, Lutai, Tangshan, Lanchow, Changli, Chinwangtao, Shanhaikuan.

Posting of imperial edicts

ART. X.—The Chinese Government has engaged to post and publish during two years in all the district towns the following Imperial Edicts (annex No. 15):—

(*a*) Edict of the 1st February, 1901, perpetually forbidding, under pain of death, membership in an anti-foreign society.

(*b*) Edicts of 13th and 21st February, 21st April, and 19th August, 1901, containing the enumeration of the punishments which have been inflicted on the guilty.

(*c*) Edict of the 19th of August, 1901, suppressing the examinations in all the towns where foreigners have been massacred or have been subjected to harsh treatment.

(*d*) Edict of 1st February, 1901 (annex No. 16), declaring that all the Governors-General, Governors and functionaries, provinical or local, are responsible for order in their districts and that in case of a renewal of anti-foreign troubles, or even of other infractions of the treaties, which are not immediately repressed, and of which those guilty shall not have been punished, these functionaries will be immediately dismissed, and shall not be appointed to new positions nor receive new honours.

The posting of these Edicts is done consistently throughout the whole Empire.

Revision of treaties

ART. XI.—The Chinese Government has engaged to negotiate amendments judged useful by the Foreign Governments to the treaties of commerce and navigation, and other subjects touching commercial relations, with the view of facilitating these.

River improvement

From now and in consequence of the stipulations inscribed in Article VI on the subject of the indemnities, the Chinese Government has engaged to co-operate in the amelioration of the course of the rivers Peiho and Huangpu. . . .

Formation of the Wai-wupu

ART. XII.—An Imperial Edict of 24th July, 1901 (annex No. 18), has reconstructed the Office of Foreign Affairs (Tsungli Yamên) in the direction indicated by the Powers, that is to say, has transformed it into a Ministry of Foreign Affairs (Wai-wu-pu), which takes rank before the other six Ministries of State. . . .

An accord is equally established on the subject of the modification of the ceremonial of the Court relative to the reception of the foreign representatives, and has been the subject of several notes. . . .

Finally, it is expressly understood that, for the declarations above named and the documents attached emanating from the Foreign Plenipotentiaries, the French text is alone authentic.

The Chinese Government having thus conformed, to the satisfaction of the Powers, to the conditions enumerated in the aforesaid Note of 22nd December, 1900, the Powers have acceded to the desire of China to see the situation created by the disorders of the summer of 1900 come to an end.

Withdrawal of foreign forces

In consequence the Foreign Plenipotentiaries have authorised the declaration, in the name of their Governments, that, with the exception of the Legation Guards mentioned

in Article VII, the international troops will completely evacuate the town of Peking, the 17th September, 1901, and with the exception of the places mentioned in Article IX, will retire from the province of Chihli, on the 22nd of September, 1901.

The present final protocol has been established in twelve identical copies and signed by all the Plenipotentiaries of the contracting countries. A copy will be remitted to each of the Foreign Plenipotentiaries and a copy will be remitted to the Chinese Plenipotentiaries.

Certified copy.

(Signed) A. von Mumm.
M. Czikann.
Joostens.
B. J. Cologan.
W. W. Rockhill.
Beau.
Ernest Satow.
Salvago Raggi.
Jiutaro Komura.
F. M. Knobel.
M. de Giers.
Ching.
Li Hung-chang.

*Secretaries:*— A. D'Anthouard.
B. Brondiensky.
Reginald Tower.
G. Bohlen Halbard.

The plenipotentiaries for China at the signing of the protocol of September 7, 1901, were Prince Ching and Li Hung-chang, viceroy and earl. Li was the one who led in the negotiations for his country. Exactly two months after signing the protocol, and before the imperial court had returned to Peking, he died. From the days of the Taiping Rebellion he had taken a prominent stand in most of the international settlements relating to China. His loss was an irreparable one, both to Manchus and to China as a whole. He was posthumously raised to the rank of hereditary marquis. A discriminating appreciation and judgment of Li is that of his biographer,

Mr. Bland, who frankly states that Li had great shortcomings, but who maintains that these were offset by equally strong virtues and ability.

352. The death of Li Hung-chang: his place in history

The determinant circumstances of Li's success lay in that he perceived (dimly enough, it is true) hard facts which his countrymen could not see at all. The blindness of others may be regarded as his luck, but his own power of exceptional vision constitutes a fair claim to greatness. With all his faults, he was for thirty years the one man whose influence was generally admitted to be the most hopeful sign of China's long-expected and still-deferred awakening. . . .

On November 7th, 1901, at the age of seventy-eight, Li died, as he had lived, bearing the brunt of his country's affliction and mistakes—a pathetic but very dignified figure, manfully striving to save something from the wreck of Tzŭ Hsi's fortunes, to abate something of the vengeful demands of the Powers. He died as he had lived, in the forefront of the battle, wearing his heavy harness with indomitable courage. . . . For the Empress who had failed to listen to his advice, he fought with grim tenacity, against heavy odds, using every art and craft of his diplomacy to create dissensions amongst the Plenipotentiaries, and all with the knowledge of a mortal illness upon him. Even on his deathbed he fought on resisting Russia's claims that he should pay her price of "friendship" by signing away the Manchurian provinces. Finally, having made an honourable peace for her Majesty and prepared the way for her return to Peking and power, he died, regretting only that he could not live to see the Old Buddha once again. Rightly might that Imperial lady mourn his decease and order the Princes her kinsmen to pour valedictory libations to his spirit on behalf of the Throne; for, whatever his faults, Li was ever the embodiment of active and unswerving loyalty.

The ship of China's State had become water-logged, her compasses unstable and her crew unnerved, long before Li was called upon to take the helm. More than once, by sheer skill of pilotage, he brought her into safe anchorage, through reefs and shoals of strange waters; more than once he found the men and means to caulk her leaking timbers and mend her battered sails. But the fierce winds that burst upon her in the middle of the nineteenth century had left her hopelessly unseaworthy, unfit to navigate the perilous seas of change. The best of pilots with the best of luck might defer, but could never finally avert, the day of dissolution: what China needed was a master-builder, and the task was

beyond the power of man or super-man. Li left the ship of State in many respects better than he found her; for years, by lavish use of paint and bunting, he gave her a brave outward show of seaworthiness; nearly all that her officers learned of navigation in uncharted seas they learned from him. More than once he was compelled by stress of weather to jettison some of her cargo, both territory and sovereign rights, and on such occasions, no doubt, he was unduly mindful of his private goods and ventures. But, when all is said and done, he was the best and bravest steersman in the Empire, and for thirty years kept the ship in commission under the dragon flag. With his passing from the scene, there was no strong hand to take the helm. To-day, the ancient craft lies waterlogged and helpless, encompassed by new perils of internal strife and foreign aggression; and many of her crew, remembering Li Hung-chang's Ulysses voice of wise council, do reverence to his wisdom.

Elsewhere the same writer discusses Li's final work for the Empress Dowager and the signal posthumous honors which that ruler was pleased to heap upon her great minister.

**353. Posthumous honors conferred on Li Hung-chang**

. . . His knowledge of foreign affairs and remarkable ability in negotiations had been of the greatest service to his Imperial mistress, and there is no doubt that the liberal terms granted to China by the victorious Allies were very largely due to his efforts. Her Majesty, while fully appreciating his ability, had never treated him with marked favour, and had always refused to appoint him to the Grand Council, giving as her excuse that she could not understand his dialect. Upon his death, however, she conferred upon him an honour which had never before been granted to any Chinese subject under the Dynasty, namely, that of having a shrine built to his memory at the capital itself, in addition to those erected in the provinces where he had borne office.

It was significant of her impartial and intelligent rulership that, although she had blamed him as originally responsible for the Japanese War and its disastrous results, she had never approved of the Emperor's hasty and vindictive action in removing him from the Viceroyalty of Chihli. Upon the signing of the Peace Protocol she conferred additional posthumous honours upon him, taking occasion at the same time, in an Imperial Decree, to congratulate and thank Prince Ch'ing, Yuan Shih-k'ai and others, who assisted in bringing about the settlement of peace terms. In particular she praised

the loyalty of Jung Lu, "who had earnestly advised the annihilation of the Boxers, and who, in addition to other meritorious services on the Grand Council, had been chiefly instrumental in protecting the Legations."

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** COUNT WITTE, *The Memoirs of Count Witte*, translated and edited by A. Yarmolinsky (Garden City, New York, Toronto, 1921); W. R. THAYER *The Life and Letters of John Hay*, 2 vols. (Boston, New York, 1916); *Foreign Relations of the United States, 1898–1901* (Washington); E. BACKHOUSE AND J. O. P. BLAND, *China under the Empress Dowager; Ibid., Annals and Memoirs, etc.;* LORD CROMER, *Political and Literary Essays, third series—John Hay* (London, 1916); A. S. DAGGETT, *America in the China Relief Expedition* (Kansas City, 1903); PRINCESS DER LING, *Two Years in the Forbidden City* (New York, 1911); C. C. BEALS, *China and the Boxers* (New York, 1901); LORD BERESFORD, *The Break-up of China* (New York, London, 1899); E. H. PARKER, *China, Past and Present* (London, 1903), Book II; SIR R. HART, *The Peking Legations:* A national uprising and international episode reprinted from the *Fortnightly Review* (Shanghai, 1900); A. KRAUSSE, *The Story of the Chinese Crisis* (London, etc., 1900); KU HUNG-MING, *Papers from a Viceroy's Yamen* (Shanghai, 1901); P. H. CLEMENTS, *The Boxer Rebellion* (New York, 1915); K. A. CARL, *With the Empress Dowager of China* (New York, 1905); CHANG CHIH-TUNG, *China's Only Hope* (New York, Chicago, 1900); J. W. FOSTER, *The Chinese Indemnity. Was It a Punitive Measure?* (Washington, 1908?); R. E. SPEER, *Missions and Politics in China* (New York, 1910); H. C. THOMSON, *China and the Powers* (London, New York, 1902); A. T. MAHAN, *The Problem of Asia and Its Effect upon International Policies* (Boston, 1900); M. BROOMHALL, *Martyred Missionaries of the China Inland Mission;* EDWARDS, *Fire and Sword in Shensi;* FORSYTH, *The China Martyrs of 1900*; HEADLAND, *Chinese Heroes;* KETLER, *The Tragedy of Pao-ting fu;* W. A. P. MARTIN, *The Siege of Peking;* A. H. SMITH, *China in Convulsion;* A. H. SMITH, *China from Within;* GLOVER, *A Thousand Miles of Mercies in China;* S. COULING, *Ency. Sinica, Boxerism;* H. B. MORSE, *International Relations*, Vol. III, Chaps. V–XIV.

# CHAPTER XIV

## THE FAR EAST—1900–1905

### *Section 61. The Customs at the Beginning of the New Century*

We have seen previously how the Imperial Maritime Customs grew out of the troubled conditions in China during the middle of the nineteenth century. Under the supervision of Sir Robert Hart the customs played an important part in the international as well as the fiscal development of the country. Its position and influence as well as that of the Inspector General, and its organization in the early part of the present century, are well set forth by Dr. Morse in Volume III of his *International Relations of the Chinese Empire.*

**354. A summary of the customs under Sir Robert Hart**

The Chinese customs service was, apart from the watchful jealousy of the foreign powers, the instrument by which China was carried without disaster through the period of helpless drift from the Boxer settlement to the end of the empire. . . .

**The finances of the customs service**

By the Chinese system the expenses of any government office or service are provided for by a fixed annual grant, which may not be exceeded, and which is invariably drawn in full. This system was also adopted for the customs; but, whereas other offices in China invariably supplemented their "allowance" (king-fei) by unreported receipts which were applied to the maintenance of the staff, the customs service was strictly limited, and it adhered, to moneys received and reported officially. For the direct maintenance of the customs an allowance was issued in monthly instalments, amounting at first to Tls. 748,200 a year, which was increased, from January, 1876, to Tls. 1,098,200. The simultaneous collection of likin on foreign opium gave an opportunity to apply for

an increase in the allowance, and, from April, 1888, it was increased to Tls. 1,738,200, of which Tls. 330,000 came from the opium likin. To provide for the frontier ports and the Chinese customs staff detached for duty in Korea, it was increased in July, 1893, to Tls. 1,858,200; the loss of the Formosan ports in 1895 cut it down to Tls. 1,786,200; but it was again raised, from October, 1896, to Tls. 1,968,000. In the third of a century which had elapsed since the allowance was first issued, the salaries, which had been settled originally on a just and liberal scale, fell in their purchasing power no less than a half for the foreign staff, whose natural currency was on a gold basis; and even for the Chinese staff, whose marketing currency was copper, the loss in purchasing power was over a quarter. The danger to the state in having an underpaid staff charged with great responsibility was obvious; and, from July, 1898, the government increased the allowance by Tls. 1,200,000, raising it to Tls. 3,168,000 a year.

For its Marine work the Inspectorate was provided with additional funds, specially ear-marked for that use. It had assumed the task of providing lights, buoys and beacons along the coast ; and, to provide for the cost, the government, though not obliged to do so, assigned seven-tenths of the tonnage dues collection. For the ten years 1906–15 the average annual amount received from these seven-tenths was Tls. 942,043. From this fund the customs in 1915 had provided and maintained 182 lights (of which 16 were of the first order and 53 flashing or occulting), 5 light-vessels, 44 light-boats, 171 buoys (of which 25 were automatic whistling or gas-lighted), and 798 beacons (of which 649 were on the course of the Sungari in the Harbin district). It also maintained the Coast Inspector's staff, charged with surveys and conservancy; the Marine staff, but the upkeep of only one light-tender was charged to this fund, the other cruisers being maintained from general customs funds; the Engineers staff, merged in later years in the Works department; and the Harbours staff at Shanghai, those at other ports being provided from the customs staff and the customs allowance.

The personnel of the service increased from small beginnings to 424 foreigners and 1417 Chinese in 1875; in 1906, when it was still charged with postal work, the numbers were 1345 foreigners and 10,625 Chinese; and in 1915, after the Post-office was set on its own feet, the numbers were 1327 foreigners and 6150 Chinese. This service had, at one time and another, been of great help to the Chinese administrators, during a period when they were without experience in the handling of international questions. It had been the channel for paying the indemnities due under the British

The personnel

and French treaties of 1858 and 1860; it had helped with several loans; and in all international questions, from negotiating a treaty to settling a land dispute, the Tsungli Yamen in those days of inexperience had constant resort to the advice and help of the Inspector General at Peking, and viceroys, governors and taotais constantly consulted and acted in conformity with the advice of the commissioners at the ports. From being distinctly hostile, the foreign merchants and consuls learned in time that the customs smoothed away difficulties, and did not create them; the foreign envoys had always supported its authority; and the Chinese officials, metropolitan and provincial, found that, through its aid, they could obtain all that it was right for them to obtain, and could avoid the perils of uncharted seas. From a position of much distrust Sir R. Hart and the service under him had won, by their efficiency and trustworthiness, the confidence of Chinese and foreigner.

Widespread activities of the service

To this service was entrusted the control of all work which was, in any of its aspects, non-Chinese in its nature—lights and other aids to navigation, pilotage, the municipal work of some ports, instruction in foreign languages and science; it had itself originated the postal work, had developed it to a great administrative organisation, and retained control of it until 1911, when it was severed from the customs; and, in 1898, it had been given a partial supervision over the likin. To provide cover for the third loan (the second Anglo-German loan) after the Japanese war, the revenues from six collectorates of likin and of salt tax in the Yangtze basin were pledged to the extent of Tls. 5,000,000 annually; these collectorates were placed under the supervision of the Inspectorate of Customs, and, in case of default, the Inspectorate was to undertake their administration. Everyone, especially the collectors of likin in these collectorates, fully expected that the opportunity would be grasped to extend the sphere of usefulness and the power of the customs service; but Sir R. Hart was too prudent, and too well acquainted with the perils of his exceptional position in the Chinese official world, to allow him to intervene, without absolute necessity, in the internal administration of the empire. He appointed deputy commissioners to supervise the working of the collectorates; but, so long as there should be no default—and there never was default—he came, after the first period of investigation, to the decision that the customs should not take an active part in the collection.

The customs after 1900

After the Boxer year, however, both China and the foreign powers found in the customs service an instrument for undertaking duties which had been imposed on China, but which required more skill and greater honesty of purpose

than, in the opinion of the powers, was possessed by the Chinese mandarinate. The Peiho and Hwangpu conservancies were entrusted to the exective control of the commissioners at Tientsin and Shanghai respectively; the special stipulations for the benefit of Hongkong were necessarily to be carried into effect by the customs; the ambitious scheme projected in Art. 8 of the British treaty required for its proper working the intervention of customs officials at several points outside the sphere of their previous activities; the registration of trade-marks was in the hands of the customs until questions of international politics led to its abandonment; bonding would, of necessity, be under it; and, to provide sufficient cover for the indemnities, the offices of "native customs" at all treaty ports were placed under the control of the foreign Inspectorate.

The "native customs"

This was a point towards which Sir R. Hart had been working during the whole of his official life—to have one office controlling the entire customs of the empire, even while he still hestitated to encounter the jealousies which his control of the native customs must have evoked. . . . Now, by the final protocol, the Inspectorate was to assume the control of the native customs at all the treaty ports; and, as interpreted by the legations, what was to be controlled was the collection of dues and duties, of every sort which was not likin, on merchandise carried otherwise than in foreign bottoms, at every treaty port without exception, and within a radius of 50 li (17 miles) around. The control was to begin simultaneously with the introduction of the effective 5 per cent. tariff, November 11th (1st day of 10th Chinese month), 1901.

Sir Robert Hart's task

To Sir R. Hart was now assigned a harder task than he had in the early sixties, when he undertook the organisation of the "foreign"* customs. Then he was given full authority, and there was no interference with his control over his staff; now he was required to work rather by diplomacy and influence than by authority, and his first step was to ensure that the commissioners at the ports worked by the same methods. While the question was still pending he wrote—"Revenue, of course, must be collected, but what is mainly of importance is to encourage trade and facilitate all trading operations; customs procedure ought therefore to be as

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* This term is one of the ambiguities of the Chinese language. Yang means primarily "ocean," hence transoceanic, i.e., foreign. So the Yangkwan, controlling the transoceanic trade, carried the idea of the "Foreign Customs" to Chinese and Western minds alike.

liberal as possible; and its aim should be to promote growth and open up new business, rather than to interpret rules too literally or enforce them too strictly, while liberality and common sense should be everywhere so evident as to make traders feel that conformity with regulations is not merely their duty as law-abiding people, but is also what helps trade most."* Even four years after control was assumed he found it necessary to protect the Chinese public—"Dismiss at once any foreign officer guilty of assault, and hand over to the magistrate for punishment any Chinese employee who misuses or abuses his position."† These instructions are evidence of Sir R. Hart's full comprehension of Chinese conditions. Public opinion in China was still inarticulate, but it could make itself felt in many hidden ways; and popular discontent would certainly have been seized on by the mandarinate intensely hostile to any change of this character affecting their emoluments. . . .

It was important to deal even more tenderly with the Superintendents—Hoppo, Tartar General, or Taotai—at each of the ports affected; they were officials of high position, who not only lost a considerable portion of their emoluments, but were thereby compelled to reduce the contributions made by them to their own superiors in the provinces and at the capital. The loss was inevitable, but it was occasioned by China's position after the Boxer outbreak, and Inspector General, commissioner and superintendent were all subject to the conditions of the diplomatic settlement. By this settlement the Inspectorate of Customs had been thrust into a position of opposition to the mandarinate: it had become, in effect, the collecting agent of the foreign creditor of China; and it was now required to interfere with the individual emoluments of the official class. The situation was delicate, and Sir R. Hart saw that he must walk warily. He first instructed the commissioners to explain to each superintendent that "it was not intended to make any but necessary changes in procedure or staff."‡ The superintendent was also to be informed that "the contemplated transfer has not for object the ousting of a native and the introduction of a foreign staff, but is forced upon those in authority by the necessities of the situation and the pecuniary difficulties of the empire, and that the two branches of the revenue department, whether called native

*I. G. circ., May 10th, 1901.

†*Ibid.*, Nov. 6th, 1905.

‡I. G. circ., Oct. 1st, 1901.

or foreign, belong to one and the same family and must work together harmoniously, honestly, and efficiently in the general interests of officials and people." *

The solution of the difficulty

The work of the native customs was "to be carried on just in the usual way by the same staff and under the same comptroller, but with the commissioner for a colleague; the new colleague, the commissioner, is, however, not a sleeping but an active partner, and his position is not to be subordinate but leading." The commissioner's firs duty was to study the working of the offices and to devise methods for reorganising them, but, "in doing this he was to keep steadily before him the interests of the revenue, the interests of the merchants, and the interests of the old staff." The last interest was considered by the retention of the old staff in its offices; but their work was now under a supervision which introduced an element of probity and vigilance, and, for the future, the "cost of collection will be the fixed pay of a recognised working staff, and not the division of an excessive surplus among hangers-on far and near, or the outcome of underhand bargainings and the disappearance of revenue through the doings of underlings." For hwa-hung (an open distribution of a realised surplus or of special supplementary taxes) adequate salaries were substituted; but it would be too much to say that "underhand bargainings" were entirely suppressed or that there was no dishonesty in the administration. Still the improvement was marked and the service was reformed.

Customs revenue

The revenue was improved. . . . Sir R. Hart estimated the revenue at Tls. 3,000,000, with probable increase to Tls. 5,000,000. . . . The revenue actually realised from the native customs during the three years 1908–10 averaged Tls. 2,981,757 a year, but during the three years 1913–15 Tls. 3,367,661 a year; in 1915 it was Tls. 3,784,570. The cost of administration was provided for by the deduction of a fixed amount of one-tenth of the collection. . . .

At the outset, in the years 1860–64, it was the opinion of the foreign envoys and traders that the Inspectorate of Customs should be established at Shanghai, the commercial centre, and not at Peking, the political capital; and there was much complaint when, on the initiative and by direct order of the government, it was transferred to Peking. It was feared that, "residing at Peking in a quasi-diplomatic capacity," the Inspector General might "act as the adviser of the Chinese in matters not pertaining to his office"; and this fear was realised. The Inspectorate of Customs was

* *I. G. circ.* Oct. 26th, 1901.

charged with control over foreign ships and over the goods of foreign merchants, both being extraterritorialised and strictly subject to the treaties with foreign powers; it was from 1860 the disbursing agent for paying the indemnities to England and France; it was the only medium of information and advice to the Chinese ministers in their novel and difficult international relations; and for these reasons it was naturally placed under the Tsungli Yamen, China's agency for dealing with foreign affairs, developing in time to a cabinet of the imperial government. The Inspector General was, therefore, not only a servant of the Chinese government, but was specifically a subordinate of the Tsungli Yamen; and he was, naturally, often asked for his advice, not only on fiscal and commercial questions, but on diplomatic questions and in matters of internal politics.* His subordinates at the ports, the commissioners of customs, were also consulted by the provincial authorities on all manner of international questions arising within, or affecting, their jurisdiction.

Characteristics of Sir R. Hart

The inspector General thus inevitably acquired a position of great influence. . . . Sir R. Hart was a man . . . [who] understood the Chinese character as no foreigner in China, since the early Jesuits, has understood it; he plumbed the Chinese mentality and, a master of the Chinese language, could present a case in a style which, appearing defective and childish to the Western reader, appealed to the subtle but restricted Chinese intellect with a force that was irresistible; while weak in the fiscal and economic field, he was a marvel in organisation and the direction of the work of others; but his most distinguishing quality was his caution. Under attack he never abandoned his guns, and he never threw over a commissioner who had acted unwisely, even when the latter had misunderstood explicit instructions; but he never put his foot forward so far that he could not withdraw it, and, before making a serious proposal on an

* Mr. W. Cartwright informed Mr. Morse that one day in 1867, he being then an Inspectorate secretary, going to the Inspector General's office, he drew his chief's attention to a decree in the Peking Gazette appointing X to be viceroy of Yunnan. Mr. Hart took up his diary and showed Mr. Cartwright an entry of the fact that he had advised the appointment of X to the Yunnan-Kweichow viceroyalty and Y to the viceroyalty of Szechwan, two jurisdictions with which there was no foreign trade. X had been gazetted, and a month after this episode Y was also gazetted.

important subject, he was certain that it would be accepted, either because he had carefully prepared the way, or because he had insight into the tendency of events.

His caution

Sir R. Hart's caution was exhibited in many ways, and an example has been shown in detail in his treatment of the novel situation created by having the "native" customs placed under his control. The meticulous care he exercised in this respect led to many anomalies, and the control of the Inspectorate varied from a direct administration inherited from the Provisional Government at Tientsin to a supervision which was merely nominal. Such a nominal supervision was exercised at Wuhu, where he influence of the great Li family, based on the high positions held so long by Li Hung-chang and Li Han-chang, was predominant—and an influence which it was unwise to antagonise. There the "control" consisted in receiving from the Superintendent a statement of the amount collected, reporting that amount to the central administration, and taking the fixed allowance of one-tenth for office expenses; the commissioner was a sleeping, and not an active, partner, and the only change made by the Inspectorate assumption of control was the receipt of the allowance, which might be regarded as a payment made to let sleeping dogs lie. The revolution made it necessary to remove all the assigned revenues from the control of any of the medley of governments which existed for a few months, and gave the Inspectorate a stronger hold on their collection, enabling it to over-ride all obstructing influences; and its control over the "native" customs offices was strengthened and assimilated to that exercised at Tientsin. Among the offices so brought under stricter control was that at Wuhu, with the result that the reported collection, which in 1911 was Tls. 138,256, increased to Tls. 637,054 in 1915.

But the most marked manifestation of this caution was the manner of handling the revenue. The customs duty was paid into a special "Customs Bank," of which the first office was opened at Shanghai in 1852, before the institution of the Inspectors of Customs. At each port this bank was local, under the direct and sole control of the Superintendent, and the commissioner had no right of intervention in any respect. On receiving any duty the bank issued its receipt, corresponding to the "memo." issued by the customs office, and the money was at once at the disposal of the Superintendent. The bank's receipt was returned to the customs office and formed the basis of its quarterly report of revenue received, which was sent to the Superintendent, Inspector General, Tsungli Yamen (or Waiwu Pu) and ministry of Revenue. The Inspectorate office assessed, the Superintendent received, and the Inspectorate reported; but at no

Chinese port did any office of the Inspectorate handle any of the revenue.* This was the system which was organised and maintained by Sir R. Hart, and it continued in force so long as the authority of the imperial government remained unchallenged. . . .

. . . His influence with the administration increased year by year, and reached its culminating point about 1887; from that time it steadily declined. This was partly due to the loss of personal esteem, but was mainly caused by the resentment of the official class at his diplomatic policy. The loans of 1895, 1896 and 1898 to provide for the Japanese war indemnity were secured on the customs revenue, leaving only a small surplus for the needs of the empire; and the official class now realised that their foreign customs service existed chiefly as a collecting agent for their foreign creditors, and no longer fulfilled the purpose which was the foundation of its continued existence—collecting efficiently and reporting honestly a gratifying amount of revenue for the use of the imperial government. Moreover the service had grasped the control of the junk trade with Hongkong and Macao—a mandarinal (even more, a Manchu) preserve; and been injected into supervision of a part of the Chinese internal revenue collection; and directed and operated the growing postal service. Now, in the hour of China's humiliation, it was made master of its master through several of the stipulations of the final protocol of 1901 and the commercial treaties of 1902 and 1903; it was now the foreign interest which was concerned to magnify its importance, and no longer the Chinese; and, losing the favour of the Chinese, it lost also much of its importance.

Change in the administration of the customs

The roots of the importance of the customs service, and of the influence exercised by the Inspector General, were the direct dependence of the Inspector General on the ministry of Foreign Affairs, Tsungli Yamen or Waiwu Pu (now Waichiao Pu), and the absolute subordination of the service to the Inspector General. Vexed as the Chinese authorities were with the situation, anxious as they were to find a solution, they made no disturbance of the latter relation; but they cut at the other root, the connexion of the Inspector General with the ministry which had control over the relations with foreign powers and the foreign envoys, and which, until 1901, was in effect the cabinet of the administration. An imperial decree of May 9th, 1906, ap-

* Kowloon (Hongkong) and Lappa (Macao) customs were exceptions, the revenue there being collected directly by the Inspectorate office and surrendered monthly to the Chinese authority concerned.

pointed Tiehliang, president of the ministry of Finance, to be High Commissioner, and Tang Shao-yi, vice-president of the ministry of Foreign Affairs, to be Associate Commissioner, "to control customs business and customs staff"; and a later decree created the Shuiwu Chu—"Department of Customs Affairs"—of which they were to be the heads. Of the two, Tiehliang, Manchu, was moderately progressive; Tang Shao-yi, Chinese, was leader of the extreme Cantonese reform party.

The dismay in foreign circles was immediate and nearly general. The bottom seemed knocked out of everything when the foreign customs, the main stay of foreign policy at the time, was struck at. Diplomatists feared a political upheaval; merchants feared a reversion to Chinese methods in the customs; creditors feared a weakening of the security for their loans; the English press feared that it was a subtle oriental way of evading the obligation that the Inspector General should be a British subject. Sir R. Hart hastened to calm the troubled waters, loyal as ever to the government and not solicitous of his own standing. He explained to his new chiefs the fears of the public, and was specifically authorised by them and by the Waiwu Pu to publish the instruction given to him that customs work was to proceed as before—"While the Inspector General will have the same relations with the Shuiwu Chu that he had with the Waiwu Pu and his duties continue to follow the same general lines, commissioners and port staff will also continue to work just as before and remain in the same relation to the Inspector General." In his private correspondence he was equally emphatic in asserting that the change of control had effected no alteration of his position.

None the less a serious blow had been struck at his personal position. Even before the creation of the Shuiwu Chu he had observed that the Waiwu Pu was less inclined to summon him to its aid, and afterwards he came to realise that he was no longer the guiding spirit in China's international relations. In 1885 he had resigned in order to take up the post of British envoy to Peking, but had cancelled his resignation when he found that he could not prevent the appointment, through the influence of Li Hung-chang, of Mr. G. Detring as his successor. In 1888 he was seriously alarmed by the state of his health and had thoughts of retiring; had he resigned then, his successor would probably through the influence of Liu Kun-yi, have been Mr. William Cartwright, an Englishman, of an incisive mind and independent character. In 1896 he again thought of retiring, and it was then probable that his successor would have been Mr. Alfred E. Hippisley, also an Englishman. From 1897 his indicated

successor was his brother-in-law, Sir Robert E. Bredon; but, when Sir R. Hart died in 1911, he was succeeded by Mr. Francis A. Aglen. From 1888 on, year by year, his private correspondence was filled with references to his health and the urgent need for rest, and to his intention of leaving off his harness; but year after year he was detained by some crisis in China's international relations, such that the administration would never consent to his going; and year after year he forced his creaking machinery to do its allotted work.

Retirement and death of Sir Robert Hart

In the spring of 1908 he took his third—and final—leave, and, while still officially on furlough, died on September 20th, 1911, after having been for half a century at the head of the great service on which he had left a distinctive impress. In that half century he had accomplished a work which was of great value to China and to the countries with which China had treaty relations; and his work was recognised by the honours conferred upon him by the nations.

The following pen picture of the distinguished Inspector General of the Imperial Maritime Customs comes from the diary of the late Willard Straight, who as a young man spent two years in Peking in the household of Sir Robert Hart in the capacity of aide to the latter.

355. A characterization of of Sir Robert Hart

In the early days Robert Hart was a consular student, grinding at Chinese, later deputy commissioner at Canton, then in charge of the Yangtze valley—a young man of twenty-four, dictating to men far older than himself and with far longer record in the service, fighting the prejudice of his employers, the Chinese, on one side and the hostility of the foreign mercantile community on the other, steering straight and clean through the turbulent waters.

He never shirked responsibility. His keen judgement sorted the important from the worthless. His remarkable memory stored up precedent after precedent on all cases. Building up his service, pulling order out of chaos, ruling with a firm hand, he yet found time for little loves, for letters and poetry. He was at his heyday in the eighties, when there were no international jealousies in China, when a minister came out to hibernate for a year or two, sit tight, and save money and romp on to new fields when all business with the Chinese was done by having the diplomats call on Sir Robert and get his advice and act accordingly.

His prestige among the Chinese was unassailable then. Year after year the plot thickened, but he still played his

game, enlarging his field of usefulness with the larger needs of the Eastern question. Strong in his position, with a vast knowledge of Chinese character and viewpoint, he has been the most notable figure in Eastern politics.

He is cordially hated—not for himself, perhaps, but for his institutions—by all provincial officials. But all men appointed from the capital to provincial posts call on the I. G.

A man with a tremendous brain and a rare genius for organization. Yet he takes interest in every little thing, knows all that goes on about him, writes notes on friendship and love to many and many a maiden.

### *Section 62. The Anglo-Japanese Alliance*

Considerable surprise and interest were aroused by the formation, in January, 1902, of an agreement or alliance between the British and Japanese empires. Some of the considerations and background principles which led to the signing of this compact—the first ever made between Great Britain and an Oriental state—are clearly set forth by Dr. McGovern of the School of Oriental Studies in the University of London.

**356. The background of the alliance—an English point of view**

Gradually, as time went on, it became more and more obvious that Russia and Japan were to be the two great Powers in whose hands the future of Eastern Asia lay. The only question was whether the two countries would be able to divide the booty amicably between them, or whether there was to be a conflict whereby one was to secure the whole.

Even in Japan there were adherents of both schools. Ito and Inoue, the civilian section of the Bureaucracy, were anxious to prevent war, and were therefore desirous that Japan enter into an alliance with Russia and France. This would have resulted in a peaceful division of "spheres of influence." Ito, of course, exerted a strong influence, and for some time there was reason to suppose that he would be successful. Even during the negotiations regarding the Anglo-Japanese alliance, the German chargé d'affaires at London informed the British Foreign Office that he had secret information that Japan was considering a Russian alliance, and certainly Ito was at that time on the point of going to St. Petersburg to arrange matters with the Czar.

**Conflicting ideas in Japan**

Yamagata and the militarists were in favour of a fight to the finish and desired to see the Russian factor in Oriental

politics entirely eliminated. They were, however, anxious that the battle should be single-handed on both sides. By this time Japan had grown sufficiently strong to be able to cope with any *one* of the foreign Powers, but was naturally unable to carry on a struggle with a combination. She was afraid that France would come to the aid of Russia in case of war. In the eyes of this school there was only one way to prevent this—an alliance with England.

If England and Japan would promise to come to one another's assistance in case of attack by more than one Power, Japan would be permitted to wage war with Russia alone without danger from France or elsewhere.

England's position

England, on the other hand, would welcome such an alliance as freeing her from risk of Russian aggression in India and China. She could expect that Japan would be able to keep the Tzar's hands tied for many years to come.

These arguments found favour in both countries, though there is much evidence to show that the idea was fostered by the Kaiser for reasons of his own. However this may be, the Anglo-Japanese alliance was patched up, and signed on January 20, 1902. Germany was, of course, notified, but contrary to opinion in certain circles showed no intention of joining the alliance, for a reason not difficult to fathom. Had she done so Russia would have dropped all Oriental designs and devoted her entire energies to the European danger.

Once the treaty of alliance was signed Japan was able to move fairly swiftly, but various negotiations took up another two years, and it was January 13, 1904, before Japan sent an ultimatum to Russia regarding her Far Eastern policy. On February 6, no answer having been received, the Japanese ambassador at St. Petersburg asked for his passports.

Count Tadasu Hayashi (1850–1913) was, more than any other of his countrymen, responsible for the formation of the Anglo-Japanese Alliance. Japan hesitated for a time between the possibilities of approaching Russia or England with the view of obtaining a European ally. Marquis Ito favored a Russian alliance. The Premier Katsura Taro, and Marquis Yamagata threw their influence with the emperor in favor of the English alliance. From the *Secret Memoirs of Count Tadasu Hayashi*, published in the English language in 1915, some of the considerations which influenced the count are

taken. Chapters IV and V contain detailed accounts of the actual negotiations that preceded the signing of the document itself.

357. The background of the alliance—Count Hayashi's account

As a result of the intervention by the three Powers after the Treaty of Shimonoseki, the interests of the different countries in the Far East fell into a new grouping. France and Germany stood with Russia on the one side; whilst Great Britain, Japan, and the United States stood on the other. The result of this was that an opinion gradually spread both amongst the public and in the official world at Tokio that an alliance with Great Britain would be beneficial. . . .

Not one of the persons who, after the retrocession of Port Arthur, approved the idea of an alliance, ever imagined that it would have such far-reaching consequences. They only felt at the time of discussing it that without some sort of support the pressure of the European Powers might be renewed. Indeed, there were even different opinions as to whether an alliance with Great Britain would be the most suitable for our requirements, or whether a Russo-Japanese Alliance or even a Russo-Franco-Japanese Alliance would not be better. Both these latter proposals received the support of minorities in Japan. The main point kept in view by everybody was, however, that Japan's isolated position must be abandoned. . . .

During the whole of my residence in Peking, and later in St. Petersburg, having the object of creating the alliance always in view, I tried continuously to cultivate the society of the British representatives at those places. I therefore considered it a matter for self-congratulation that Sir Nicholas O'Connor, who had been my colleague in Peking, should also have been my colleague in St. Petersburg.

Mr. Chamberlain and M. Kato

The idea of the alliance gradually extended until, on a certain day in March, 1898, Mr. Joseph Chamberlain, the then Minister for the Colonies in the English Cabinet, had a conversation with M. (later Baron) Kato, who at the time was the Japanese Minister in London, at a public banquet, which both were attending. Mr. Chamberlain on that occasion expressed to M. Kato the readiness of Great Britain to enter into an agreement with Japan for the settlement of relations in the Far East. M. Kato sent a long telegram to Count Okuma, at that time the Minister for Foreign Affairs at Tokio, and urged on him the advisability of complying with the British statesman's wishes.

In 1899 I returned to Tokio from St. Petersburg and visited Count Ito at his residence. . . . Count Inouye was present at that interview, and asked me if I would like to go to London as Minister. To this inquiry I replied that such was my most earnest desire.

Count Inouye then continued by saying that M. Kato was always pressing on the Foreign Office the urgent necessity of an alliance with Great Britain, and he asked for my views on the matter. I replied that I considered the alliance to be most advisable and important, but pointed out that an alliance means something mutual, each side bringing something into the bargain. If Japan were not able to bring sufficient into the alliance as her contribution, then indeed it might suit Great Britain better to make an arrangement with Russia, which country could certainly offer more than Japan. And even if matters should not go so far as an Anglo-Russian Alliance, it might well be that the idea of an Anglo-Japanese Alliance would be blocked. . . .

In 1899 I was appointed Minister at London, and in 1900 took up my post there.

If I remember rightly it was in March, 1900, in the early part of the month, that I discussed the proposal for an alliance between Great Britain and Japan with Dr. Morrison, the famous correspondent of *The Times* at Peking. . . .

Dr. Morrison

In the year 1900 the Boxer trouble broke out in China, and the Legations in Peking were invested. . . . The people of England were very alarmed at the reports of the situation in China. When, however, they found that Japan had mobilized an army for the rescue of the Legations they were very much obliged to Japan and felt very relieved. . . .

According to my judgement at that time, the pro-Japanese sentiment in England extended from the highest to the lowest and humblest citizen.

On the other hand, Russia was planning to occupy the Manchurian Provinces as a set-off to and as an indemnity for the Boxer outrages. Then began the infamous campaign of bloodshed along the Amur River.

England could not but feel rather resentful towards Russia. She realized the necessity of joint action with Japan in the Far East, and that proved to be one of the most important reasons why the Anglo-Japanese Alliance was later concluded. . . .

The terms of the agreement of January 30, 1902, are as follows:

358. The alliance of 1902

The Governments of Great Britain and Japan, actuated solely by a desire to maintain the *status quo* and general peace

in the Extreme East, being moreover specially interested in maintaining the independence and territorial integrity of the Empire of China and the Empire of Corea, and in securing equal opportunities in those countries for the commerce and industry of all nations, hereby agree as follows:—

ARTICLE I. The High Contracting Parties having mutually recognized the independence of China and of Corea, declare themselves to be entirely uninfluenced by any aggressive tendencies in either country. Having in view, however, their special interests, of which those of Great Britain relate principally to China, while Japan, in addition to the interests which she possesses in China, is interested in a peculiar degree politically as well as commercially and industrially in Corea, the High Contracting Parties recognize that it will be admissible for either of them to take such measures as may be indispensable in order to safeguard those interests if threatened either by the aggressive action of any other Power, or by disturbances arising in China or Corea, and necessitating the intervention of either of the High Contracting Parties for the protection of the lives and property of its subjects.

ARTICLE II. If either Great Britain or Japan, in the defence of their respective interests as above described, should become involved in war with another Power, the other High Contracting Party will maintain a strict neutrality, and use its efforts to prevent other Powers from joining in hostilities against its ally.

ARTICLE III. If, in the above event, any other Power or Powers should join in hostilities against that ally, the other High Contracting Party will come to its assistance, and will conduct the war in common, and make peace in mutual agreement with it.

ARTICLE IV. The High Contracting Parties agree that neither of them will, without consulting the other, enter into separate arrangement with another Power to the prejudice of the interests above described.

ARTICLE V. Whenever, in the opinion of either Great Britain or Japan, the above-mentioned interests are in jeopardy, the two Governments will communicate with one another fully and frankly.

ARTICLE VI. The present Agreement shall come into effect immediately after the date of its signature, and remain in force for five years from that date.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said five years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. But if, when the date fixed for its expiration

arrives, either ally is actually engaged in war, the alliance shall, *ipso facto*, continue until peace is concluded.

In faith whereof the Undersigned, duly authorized by their respective Governments, have signed this Agreement and have affixed thereto their seals.

Done in duplicate at London, the 30th day of January, 1902.

(L. S.) (Signed) LANSDOWNE,
*His Britannic Majesty's Principal Secretary of State for Foreign Affairs.*

(L. S.) (Signed) HAYASHI
*Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Japan at the Court of St. James.*

The Marquess of Lansdowne was Minister of Foreign Affairs in England at the time that the alliance was negotiated, and with him Count Hayashi communicated. With the consummation of this alliance, the British legation in Tokyo and the Japanese legation in London were raised to embassies; Count Hayashi thus became the first Japanese ambassador to be stationed in England. Sir Claude MacDonald, previously British Minister in Tokyo, became ambassador. To him Lord Lansdowne sent a formal notification of the arrangement of the agreement with the English interpretation of the meaning of the document.

**359. Résumé and interpretation of the alliance**

"Foreign Office, January 30, 1902.

"Sir Claude MacDonald:

"I have signed to-day, with the Japanese Minister, an Agreement between Great Britain and Japan, of which a copy is enclosed in this dispatch.

"This Agreement may be regarded as the outcome of the events which have taken place during the past two years in the Far East, and of the part taken by Great Britain and Japan in dealing with them.

"Throughout the troubles and complications which arose in China consequent upon the Boxer outbreak and the attack upon the Peking Legations, the two Powers have been in close and uninterrupted communication, and have been actuated by similar views.

"We have each of us desired that the integrity and independence of the Chinese Empire should be preserved, and that there should be no disturbance of the territorial *status quo* either in China or in the adjoining regions, that all nations should, within those regions, as well as within the limits of the Chinese Empire, be afforded equal opportunities for the development of their commerce and industry, and that peace should not only be restored, but should, for the future, be maintained.

"From the frequent exchanges of view which have taken place between the two Governments, and from the discovery that their Far Eastern policy was identical, it has resulted that each side has expressed the desire that their common policy should find expression in an international contract of binding validity.

The objects of the alliance

"We have thought it desirable to record in the Preamble of that instrument the main objects of our common policy in the Far East to which I have already referred, and in the first Article we join in entirely disclaiming any aggressive tendencies either in China or Korea. We have, however, thought it necessary also to place on record the view entertained by both the High Contracting Parties, that should their interests as above described be endangered, it will be admissible for either of them to take such measures as may be indispensable in order to safeguard their interests, and words have been added which will render it clear that such precautionary measures might become necessary and might be legitimately taken, not only in the case of aggressive action or of an actual attack of some other Power, but in the event of disturbances arising of a character to necessitate the intervention of either of the High Contracting Parties for the protection of the lives and property of its subjects.

The principal obligations

"The principal obligations undertaken mutually by the High Contracting Parties are those of maintaining a strict neutrality in the event of either of them becoming involved in war, and of coming to one another's assistance in the event of either of them being confronted by the opposition of more than one hostile Power. Under the remaining provisions of the Agreement, the High Contracting Parties undertake that neither of them will, without consultation with the other, enter into separate arrangements with another Power to the prejudice of the interests described in the Agreement, and that whenever those interests are in jeopardy, they will communicate with one another fully and frankly.

"The concluding Article has reference to the duration of the Agreement which, after five years, is terminable by either of the High Contracting Parties at one year's notice.

England's reasons for forming the alliance

"His Majesty's Government had been largely influenced in their decision to enter into this important contract by the conviction that it contains no provisions which can be regarded as an indication of aggressive or self-seeking tendencies in the regions to which it applies. It has been concluded purely as a measure of precaution, to be invoked, should occasion arise, in the defence of important British interests. It in no way threatens the present position or the legitimate interests of other Powers. On the contrary, that part of it which renders either of the High Contracting Parties liable to be called upon by the other for assistance can operate only when one of the allies has found himself obliged to go to war in defence of interests which are common to both, when the circumstances in which he has taken this step are such as to establish that the quarrel has not been of his own seeking, and when, being engaged in his own defence, he finds himself threatened, not only by a single Power, but by a hostile coalition.

"His Majesty's Government trust that the Agreement may be found of mutual advantage to the two countries, that it will make for the preservation of peace, and that, should peace be unfortunately broken, it will have the effect of restricting the area of hostilities.

"I am, etc.,

"LANSDOWNE."

On August 12, 1905, less than a month before the conclusion of the Treaty of Portsmouth, and as a direct result of the success of Japan in the war with Russia, the Anglo-Japanese Agreement was renewed. It is worthy of note that whereas in the first agreement England and Japan, having "mutually recognized the independence of China and of Corea, declare themselves to be entirely uninfluenced by any aggressive tendencies," in the renewal in 1905 no mention is made of the *independence* of Korea, but Japan is now declared to possess "paramount political, military, and economic interests in Corea." Mention is now made for the first time of England's relation to India. The reference to India was due to England's fear of Russia's Asiatic policy, which was bringing that country closer

and closer to the northern frontier of India. Article II of the new agreement should be carefully compared with Articles II and III of the first agreement.

360. The Alliance of 1905

AGREEMENT *between Great Britain and Japan, relative to Eastern Asia (China and Corea) and India.—Signed at London, August 12, 1905.*

PREAMBLE

The Governments of Great Britain and Japan, being desirous of replacing the Agreement concluded between them on the 30th January, 1902, by fresh stipulations, have agreed upon the following Articles which have for their object,—

(*a*) The consolidation and maintenance of the general peace in the regions of Eastern Asia and of India;

(*b*) The preservation of the common interests of all the Powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China.

(*c*) The maintenance of the territorial rights of the High Contracting Parties in the regions of Eastern Asia and of India, and the defence of their special interests in the said regions:—

ARTICLE I. It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this Agreement are in jeopardy, the two Governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard those menaced rights or interests.

II. If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any other Power or Powers either Contracting Party should be involved in war in defence of its territorial rights or special interests mentioned in the preamble of this Agreement, the other Contracting Party will at once come to the assistance of its ally, and will conduct the war in common, and make peace in mutual agreement with it.

III. Japan possessing paramount political, military, and economic interests in Corea, Great Britain recognizes the right of Japan to take such measures of guidance, control, and protection in Corea as she may deem proper and necessary to safeguard and advance those interests, provided always that such measures are not contrary to the principleof equal opportunities for the commerce and industry of all nations.

IV. Great Britain having a special interest in all that concerns the security of the Indian frontier, Japan recognizes her right to take such measures in the proximity of that frontier as she may find necessary for safeguarding her Indian possessions.

V. The High Contracting Parties agree that neither of them will, without consulting the other, enter into separate arrangements with another Power to the prejudice of the objects described in the preamble of this Agreement.

VI. As regards the present war between Japan and Russia, Great Britain will continue to maintain strict neutrality unless some other Power or Powers should join in hostility against Japan, in which case Great Britain will come to the assistance of Japan, and will conduct the war in common, and make peace in mutual agreement with Japan.

VII. The conditions under which armed assistance shall be afforded by either Power to the other in the circumstances mentioned in the present Agreement, and the means by which such assistance is to be made available, will be arranged by the Naval and Military authorities of the Contracting Parties, who will from time to time consult one another fully and freely upon all questions of mutual interest.

VIII. The present Agreement shall, subject to the provisions of Article VI, come into effect immediately after the date of its signature, and remain in force for ten years from that date.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall *ipso facto*, continue until peace is concluded.

In faith whereof the Undersigned, duly authorized by their respective Governments, have signed this Agreement and have affixed thereto their seals.

Done in duplicate at London, the 12th day of August, 1905.

(L. S.) LANSDOWNE, *His Britannic Majesty's Principal Secretary of State for Foreign Affairs.*

(L. S.) TADASU HAYASHI, *Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Japan at the Court of St. James.*

Although the renewal of the alliance was signed on August 12, announcement was not made until September 6, the day after the signing of the Treaty of Portsmouth, which ended the war between Russia and Japan. The reasons for this are stated in the notifications made by Lord Lansdowne to the British ambassadors to St. Petersburg and Paris.

361. The Marquess of Lansdowne to Sir C. Hardinge

DESPATCH to His Majesty's Ambassador at St. Petersburgh, forwarding a copy of the Agreement between Great Britain and Japan, signed at London, August 12, 1905.—London, September 6, 1905.

*The Marquess of Lansdowne to Sir C. Hardinge**
*Foreign Office, September 6, 1905.*

Sir,

I inclose, for your Excellency's information, a copy of a new agreement concluded between His Majesty's Government and that of Japan in substitution for that of the 30th January, 1902. You will take an early opportunity of communicating the new Agreement to the Russian Government.

It was signed on the 12th August, and you will explain that it would have been immediately made public but for the fact that negotiations had at that time already commenced between Russia and Japan, and that the publication of such a document whilst those negotiations were still in progress would obviously have been improper and inopportune.

The Russian Government will, I trust, recognize that the new Agreement is an international instrument to which no exception can be taken by any of the Powers interested in the affairs of the Far East. You should call special attention to the objects mentioned in the preamble as those by which the policy of the Contracting Parties is inspired. His Majesty's Government believe that they may count upon the good-will and support of all the Powers, in endeavouring to maintain peace in Eastern Asia, and in seeking to uphold the integrity and independence of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in that country.

On the other hand, the special interests of the Contracting Parties are of a kind upon which they are fully entitled to in-

* A similar dispatch was addressed to His Majesty's Ambassador at Paris.

sist, and the announcement that those interests must be safeguarded is one which can create no surprise, and need give rise to no misgivings.

Importance of Article II

I call your special attention to the wording of Article II, which lays down distinctly that it is only in the case of an unprovoked attack made on one of the Contracting Parties by another Power or Powers, and when that Party is defending its territorial rights and special interests from aggressive action, that the other Party is bound to come to its assistance.

Article III

Article III, dealing with the question of Corea, is deserving of especial attention. It recognizes in the clearest terms the paramount position which Japan at this moment occupies and must henceforth occupy in Corea, and her right to take any measures which she may find necessary for the protection of her political, military, and economic interests in that country. It is, however, expressly provided that such measures must not be contrary to the principle of equal opportunities for the commerce and industry of other nations. The new Treaty no doubt differs at this point conspicuously from that of 1902. It has, however, become evident that Corea, owing to its close proximity to the Japanese Empire and its inability to stand alone, must fall under the control and tutelage of Japan.

His Majesty's Government observe with satisfaction that this point was readily conceded by Russia in the Treaty of Peace recently concluded with Japan, and they have every reason to believe that similar views are held by other Powers with regard to the relations which should subsist between Japan and Corea.

His Majesty's Government venture to anticipate that the alliance thus concluded, designed as it is with objects which are purely peaceful and for the protection of rights and interests the validity of which cannot be contested, will be regarded with approval by the Government to which you are accredited. They are justified in believing that its conclusion may not have been without effect in facilitating the settlement by which the war has been so happily brought to an end, and they earnestly trust that it may, for many years to come, be instrumental in securing the peace of the world in those regions which come within its scope.

I am, &c.,

LANSDOWNE.

*Sir C. Hardinge.*

For purposes of convenience, it seems best to break the chronological order and insert the Anglo-Japanese

Agreement in the form in which it was renewed a second time in the year 1911. By this time the Triple Entente, consisting of Russia, France, and England, had been formed in Europe; for the time being, England had nothing to fear from Russia. But now the increasing power of Germany seemed to render it advisable for England to have an ally in the East.

In the new agreement, it will be noted that no reference is made to Korea, which had in 1910 been annexed to the Japanese Empire. To avoid any possibility of being drawn into a war with America, England had inserted a provision that neither country should be obligated to war against a nation with which it might have a treaty of general arbitration.

362. The Alliance of 1911

*AGREEMENT between Great Britain and Japan, revising the Agreement of 1905, for the Maintenance of Peace, Interests, and Territorial Rights in China, Eastern Asia, and India—Signed at London, July 13, 1911.*

PREAMBLE

The Government of Great Britain and the Government of Japan, having in view the important changes which have taken place in the situation since the conclusion of the Anglo-Japanese Agreement of the 12th August, 1905, and believing that a revision of that Agreement responding to such changes would contribute to general stability and repose, have agreed upon the following stipulations to replace the Agreement above mentioned, such stipulations having the same object as the said Agreement, namely:

(*a*) The consolidation and maintenance of the general peace in the regions of Eastern Asia and of India;

(*b*) The preservation of the common interests of all Powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China;

(*c*) The maintenance of the territorial rights of the High Contracting Parties in the regions of Eastern Asia and of India, and the defence of their special interests in the said regions:—

ARTICLE I. It is agreed that whenever, in the opinion of either Great Britain or Japan, any of the rights and interests referred to in the preamble of this Agreement are in jeopardy, the two Governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard these menaced rights or interests.

II. If by reason of unprovoked attack or aggressive action, whenever arising, on the part of any Power or Powers, either High Contracting Party should be involved in war in defence of its territorial rights or special interests mentioned in the preamble of this Agreement, the other High Contracting Party will at once come to the assistance of its ally, and will conduct the war in common, and make peace in mutual agreement with it.

III. The High Contracting Parties agree that neither of them will, without consulting the other, enter into separate arrangements with another Power to the prejudice of the objects described in the preamble of this Agreement.

IV. Should either High Contracting Party conclude a treaty of general arbitration with a third Power, it is agreed that nothing in this Agreement shall entail upon such Contracting Party an obligation to go to war with the Power with whom such treaty of arbitration is in force.

V. The conditions under which armed assistance shall be afforded by either Power to the other in the circumstances mentioned in the present Agreement, and the means by which such assistance is to be made available, will be arranged by the naval and military authorities of the High Contracting Parties, who will from time to time consult one another fully and freely upon all questions of mutual interest.

VI. The present agreement shall come into effect immediately after the date of its signature, and remain in force for ten years from that date.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, *ipso facto*, continue until peace is concluded.

In faith whereof the undersigned, duly authorized by their respective Governments, have signed this Agreement, and have affixed thereto their seals.

Done in duplicate at London, the 13th day of July, 1911.

E. GREY, *His Britannic Majesty's Principal Secretary of State for Foreign Affairs.*

TAKAAKI KATO, *Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Japan at the Court of St. James.*

### *Section 63. Russia and China, 1902*

At the beginning of the year 1902, Russia had military possession of all Manchuria. This condition of affairs was a disturbing international factor and hastened the conclusion of the first agreement between England and Japan on the thirteenth of January, discussions of which had been begun in the preceding April. The Anglo-Japanese Agreement in turn contributed to the signing of the Russo-Chinese Convention on April 8. Russia did not carry out her part of the agreement with China, and this helped to bring on the war between Japan and Russia less than two years later.

**363. Convention with regard to Manchuria, April 8, 1902**

His Majesty the Emperor and Autocrat of All the Russias, and His Majesty the Emperor of China, with the object of re-establishing and confirming the relations of good neighborhood, which were disturbed by the rising in the Celestial Empire of the year 1900, have appointed their Plenipotentiaries to come to an agreement on certain questions relating to Manchuria. These Plenipotentiaries, furnished with full powers which were found to be in order, agreed as follows:—

ARTICLE I. Chinese authority in Manchuria to be re-established.—His Imperial Majesty the Emperor of Russia . . . agrees to the re-establishment of the authority of the Chinese Government in that region, which remains an integral part of the Chinese Empire, and restores to the Chinese Government the right to exercise therein governmental and administrative authority, as it existed previous to the occupation by Russian troops of that region.

ARTICLE II. China to protect railway and all Russian subjects and their undertakings.—In taking possession of the

governmental and administrative authority in Manchuria, the Chinese Government confirms, both with regard to the period and with regard to all other articles, the obligation to observe strictly the stipulations of the Contract concluded with the Russo-Chinese Bank on the 27th August, 1896, and . . . takes upon itself the obligation to use all means to protect the railway and the persons in its employ, and binds itself also to secure within the boundaries of Manchuria the safety of all Russian subjects in general and the undertakings established by them.

Evacuation of Manchuria by Russia.—The Russian Government . . . agrees on its side, provided that no disturbances arise and that the action of other Powers should not prevent it, to withdraw gradually all its forces from within the limits of Manchuria in the following manner:—

(*a*) Within six months from the signature of the Agreement, to clear the southwestern portion of the Province of Mukden up to the river Liao Ho of Russian troops, and to hand the railways over to China.

(*b*) Within further six months to clear the remainder of the Province of Mukden and the Province of Kirin of Imperial troops.

(*c*) Within the six months following to remove the remaining Imperial Russian troops from the Province of Hei-lung-chiang.

Article III. Chinese forces pending evacuation.— . . . The Imperial Russian and Chinese Governments shall undertake to instruct the Russian military authorities and the Tsiang-Tsungs, mutually to come to an agreement respecting the numbers and the disposition of the Chinese forces until the Russian forces shall have been withdrawn. At the same time the Chinese Government binds itself to organize no other forces over and above those decided upon by the Russian military authorities and the Tsiang-Tsungs as sufficient to suppress brigandage and pacify the country.

Chinese forces after evacuation.—After the complete evacuation of Manchuria by Russian troops, the Chinese Government shall have the right to increase or diminish the number of its troops in Manchuria, but of this must duly notify the Russian Government, as it is natural that the maintenance in the above-mentioned district of an over large number of troops must necessarily lead to a reinforcement of the Russian military force in the neighbouring districts, and thus would bring about an increase of expenditure on military requirements undesirable for both States. . . .

Article IV.—Shanhaikwan-Sinminting railway to be restored.—The Russian Government agrees to restore to the owners the railway Shanhaikwan-Newchwang-Sinminting,

which, since the end of September, 1900, has been occupied and guarded by Russian troops. In view of this, the Government of His Majesty the Emperor of China binds itself:—

1. China alone to protect the line. . . .

4. China to pay Russia for repair and keep of line. . . .

Done in Peking in duplicate, the 26th March (8th April), 1902.

### *Section 64. Aspects of the Russo-Japanese War*

In 1900, General Kuropatkin favored the fortification of Port Arthur, and the construction of good roads in the Russia area. He wished, however, to prevent his country's adopting too strong a forward policy. In that year he made the following observation:

**364. A Russian observation on the cause of the war**

At present we are in no way ready to take an active line in Korea, and must, at any cost, avoid stirring up a conflict with Japan on account of Korean affairs. We are certain to encounter Japan's strenuous opposition in our endeavor to obtain control of the Korean markets, even if it be only in the shape of political or mere trade competition, and if we cannot altogether avoid a conflict, we shall in all probability have to fight her in the beginning of the twentieth century.

An interesting comparison of the positions of Russia and Japan before the outbreak of the Russo-Japanese War is made by Captain F. R. Sedgwick, of the Royal Field Artillery in the British army. The writer presents the main facts of the war from the point of view of its conduct on land. In his preface he points out what he considers to be the significance of the struggle from the English viewpoint: "The whole War is pregnant with instruction for us, for it was a contest between a Maritime Power (or at any rate, a Power that obtained complete control of the Sea for the purposes of the War) and a great Continental Power of the 'nation in arms type.'

That the former would have gained the day had its army been in an unprepared condition is impossible. The victory fell to Japan, because both Navy and Army were ready."

365. Comparison of the positions of Russia and Japan

For centuries Russia had been slowly and surely extending her dominions across Asia, and the progress had been very rapid in the last fifty years of the nineteenth century. Except on the South, Russia had become the nearest neighbour of the Chinese Empire, and not unnaturally exercised great influence in Pekin. . . .

There is no doubt that the whole of the Japanese people fully realised that a war, sooner or later, with Russia was inevitable; every book about Japan, and there are hundreds of them, referred to this event as inevitable in the near future.

It seems probable, on the other hand, that the Russian diplomatists in St. Petersburg never really believed that the Japanese would dare to assail them, so overwhelming appeared the strength of Russia.

A glance at the map will show that Japan was justified in fearing the Russian menace.

Geographical position of Korea

Korea juts out towards Japan like a dagger held towards her heart, should it be held by an enemy.

At the first blush, the forces on either side appeared to be impossibly unequal.

On sea it is true that Japan had a small superiority of strength in the Pacific, but Russia had a great naval force, sufficient to put the balance far over to her side, in European waters. . On land, Japan had increased her forces after the Chinese War to thirteen Active Divisions, two Cavalry, and two Field Artillery Brigades, thirteen Reserve Brigades, and a Home defence force of about 100 battalions. . . .

In resources too, Japan seemed equally out-matched, for the vast wealth of the Russian Empire should stand almost any drain that could conceivably be put upon it, while Japan is a poor country. But looked at more closely, it is at once seen that the forces were not so disproportionate as appeared at first sight.

Russia's . . . force was scattered over Manchuria and Southern Ursari.

To mobilise it would take a long time, and to reinforce it to a strength commensurate with the Japanese Army would take months, for the reinforcements must come chiefly from Russia over a single line of rail 4,000 miles long, and that broken at Lake Baikal.

At sea, too, the Russian reinforcements must come from Europe, and the Japanese might well hope to cripple the Pacific Squadron before ever these reinforcements arrived.

Japan's fortunate position

The Japanese were more fortunately placed. Their superiority of naval force would enable them to secure the passage of transports to the mainland, and it was reasonably calculated that in six weeks from the outbreak of war, a force sufficient to cope with the Russians immediately on the spot could be landed in Southern Manchuria, and that this force could be reinforced far quicker than the Russian.

Sea power

Everything then turned on sea-power; without it Japan could stir neither hand nor foot, and though even were Japan beaten at sea, Russia could not land an army in Japan with any hope of doing any good, yet the loss of sea control would mean to Japan her inevitable defeat. Russia, however, was territorially inviolable. Of marching to Moscow there could be no idea. Even Port Arthur was not her own, and Manchuria she was under pledge to evacuate. The Japanese objective then must be the Russian Army, and as this army depended on the railway, certain important stations would become the temporary strategical objects. The capture of Port Arthur and the re-capture of Sakhalin, taken from Japan many years before, and possibly an attack on Vladivostok, would also be strategical points of importance. The naval bases would be peculiarly important, as they would shelter the inferior Pacific Squadron until the arrival of the Russian naval reinforcements.

The theater of war

Of the Theatre of War (Command of the Sea held by the Japanese) there could be no doubt. It must be Manchuria and Northern Korea. Southern and Eastern Manchuria and Northern Korea are mountainous countries, while Northern and Western Manchuria is a wide and fertile plain. . . . The climate is very healthy, but bitterly cold in winter, when the ports of Manchuria are ice-bound. The country yields a considerable quantity of food and forage as soon as the great plain is reached; the mountainous part is, however, bare and inhospitable. . . .

The Russian versus the Japanese soldier

Of the men on each side much has been written. The Russian peasant is, as a fighting man, well known to every European Army. In centuries of warfare he has shown himself hardy, resolute, and of extraordinary tenacity; neither fatigue nor danger seems to severely shake his morale. On the other hand, he is slow and unintelligent, and shrewd observers had declared that neither the officers nor men of the Russian Army were trained to the pitch that modern soldiers must acquire. The bayonet cult was still worshipped

in the Russian Army, and still on active service the soldiers marched and fought with bayonets fixed. The cult of the bayonet had been allowed to override the careful musketry instruction of the men. The little Japanese soldier, on the other hand, an average of eight inches shorter than his opponent, was a partially unknown quantity. But here again shrewd observers had already noted that keenness, intelligence and high training were as marked in the Japanese Service as their absence was marked in that of Russia. . . .

Their organisation, too, was known to be perfect, and the transport and medical arrangements most carefully considered.

Both armies were armed with modern rifles, and Russia was in the process of re-arming her artillery with Q. F. long recoil Field Guns. The Japanese had an improved breech-loading weapon converted to Q. F., but not quite up-to-date.

The Russo-Japanese War, though a sanguinary one, and fraught with great international significance, was, comparatively speaking, not of long duration. Less than eighteen months were required by Japan to demonstrate to Russia that for the time being at least she must change her tactics of expansion in the Far East. The accompanying summary indicates the main events of the struggle.

366. A brief summary of the struggle

Generally speaking, the sympathy of the entire world, with the exception of France, was with the Japanese, but as in the case of the Chino-Japanese War, uninformed public opinion greatly overestimated the strength and resources of Japan's opponent. Quite apart from the corruption and inefficiency of both of her services, the military forces which Russia possessed had for the most part to be kept in Europe and but a small proportion could be sent to Manchuria. . . . No victory in the East could offset a disaster on her Western front, and it was notorious that the German General Staff had a fully prepared plan of invasion in case the Russo-German frontier was weakened. Germany was in alliance with Austria and Italy. She had a close understanding with Turkey and the Balkan States. Relations between France and England were not over-friendly at this time, and those between

Russia and England were worse. The smaller countries, such as Sweden, had unfulfilled grudges to pay at the expense of the Muscovites. The Russians were by no means independent in matters concerning finance or ordnance, and even those arsenals which she possessed were in close proximity to German territory and had to be closely watched.

An even more important consideration was that the Trans-Siberian Railway had not been entirely completed. Even though she had been able to spare them, Russia had no means of transporting more than a small number of men across the immense distances to the scene of hostility. Accordingly, notwithstanding her immense nominal man-power, at no time during the war which followed had Russia more than a million men east of Lake Baikal, and in 1904, at the commencement of hostilities, there were in the Far East only some 83,350 men, including 70,000 infantry, 4,200 cavalry, and 196 guns.

Opposed to her was Japan, whose insular position everywhere secured her from attack. The only other Powers capable of harming her were England and America, both sympathetic. France was powerless to injure. The battlefield was far enough away from home to preclude the threat of invasion, and near enough to insure easy transportation of men and food. Not only were her men splendidly equipped and trained, but in February, at the outbreak of the war, Japan possessed 850,000 trained soldiers, while the untrained material numbered some 4,250,000 souls, practically all of whom could be despatched wherever occasion demanded. It is estimated that during the war she landed 1,500,000 men in Manchuria.

From the naval point of view Japan was in an even more favourable position. Of available naval bases Russia possessed but two—Port Arthur, where the docks were incapable of receiving battleships, and Vladivostok, which was ice-bound part of the year. Japan had four excellent bases, in addition to her numerous harbours and straits, which served as pre-eminently suitable bases of operation. In ships available for the Pacific she had an overwhelming preponderance.

Russia was in a ferment of internal discontent. Most of her subjects opposed the war. The Japanese were seething with militarism and enthusiasm for martial enterprises. . . .

The plan of campaign was comparatively simple. The Russian fleet was bottled up in Port Arthur and Vladivostok, and destroyed bit by bit whenever it ventured out, so that Japan was left with the control of the sea. The insufficiency of the Russian troops at the beginning of the

The plan of campaign

war enabled her quickly to overrun Korea, the first real battle being on the banks of the Yalu River at the base of the Korean Peninsula, where Kuroki compelled the Russians to retire. Gradually pushing forward his manœuvres, he forced them farther and farther back towards the city of Liao Yang, in the north-west.

In the meantime General Oku had landed near the tip of the Liao Tung Peninsula just behind Port Arthur, cutting that harbour off from the main Russian army. Dalny and Dairen Bay having been captured, General Nogi was left to invest the port itself, while Oku and the main body marched north into Manchuria, driving the Russians before them. While Kuroki was advancing from the east and Oku from the west, another Japanese army was landed in the centre of Takushan, and by its steady progress was able to guard the other two armies from flank attacks. Eventually this force, under General Nodzu, was able to form a junction with the other two armies near the above-mentioned city.

Here a large body of Russian soldiers had been assembled, and Marshal Oyama arriving to command operations (the Russians had for their leader the amiable but not over-energetic Kuropatkin), from August 23 to September 3, 1904, a pitched battle ensued, in which the Russian army was far from broken, but which was drawn several miles farther back to the vicinity of Mukden. Here the second and last of the great battles of the war was waged, beginning about February 23, 1905, and going on at intervals until March 16, with the same result as before—the Russians forced to retreat without being badly beaten.

In the meantime Port Arthur had fallen (January 2, 1905), the fleets in Vladivostok and Port Arthur vanquished and the Baltic fleet sent out to the East badly defeated, so that the Japanese had met with success on all fields. Nevertheless it was obvious that the Russians were by no means out of the running. Their armies were intact; the enemy had not gained a single foot of territory in Russia proper (not even Russian Siberia); reinforcements were beginning to pour in. The European situation was, however, unfavourable: revolution had broken out at home; the people took no interest in the war; Kuropatkin had always been against it; so that peace negotiations were commenced. . . .

Captain Sedgwick, from whose study of the war we have previously quoted, presents concisely some of the conditions which led to the conclusion of peace between the belligerents. He also points out a few of the unique aspects of the struggle.

367. The end of the conflict

That the Japanese would have been eventually driven back had the war continued is just possible; that they could have advanced further quite impossible; but the Russian bolt was shot. Internal disorders at home, and constant failure in the field, had weakened their credit almost to breaking point, while the Japanese also began to realise that the drain in their resources would soon become unendurable.

Mr. Roosevelt, President of the United States, invited the Czar and the Mikado to send peace plenipotentiaries to America, to discuss a possible basis for peace; the proposal was accepted, and on the 5th September peace was eventually signed.

By the Treaty of Portsmouth, Japan secured all the advantages for which she had fought, except that only half the island of Sakhalin was ceded back to her, while Russia gained time to endeavour to heal the disorder at home.

The war was in a way unique, for it was a long-drawn-out fight between two powers in the territory of a neutral. Except Sakhalin, the Japanese never entered real Russian territory, for Port Arthur was only leased to her. There have have been somewhat similar cases, such as the Peninsular War and the Waterloo Campaign, but in both cases the Armies of the victors finally marched into Paris, the heart of the vanquished country's territory. Of marching to Moscow there could be no thought in this war.

The Russian forces on land and sea had been quite thoroughly defeated by the Japanese by the end of May, 1905. President Roosevelt, on the eighth of June, urged both powers to consider terms of peace. They agreed and chose to send plenipotentiaries to discuss a treaty. The meeting was held in Portsmouth, New Hampshire, in the United States of America, where a treaty was signed on September 5, 1905. The more important agreements to be found in the Treaty of Portsmouth are given here.

368. Excerpts from the Treaty of Portsmouth

ARTICLE II. The Imperial Russian Government, acknowledging that Japan possesses in Corea paramount political, military and economical interests, engage neither to obstruct nor interfere with the measures of guidance, protection and control which the Imperial Government of Japan may find it necessary to take in Corea. . . .

ARTICLE III. Japan and Russia mutually engage:

1. To evacuate completely and simultaneously Manchuria except the territory affected by the lease of the Liao-tung Peninsula, in conformity with the provisions of additional Article 1, annexed to this Treaty; and

2. To restore entirely and completely to the exclusive administration of China all portions of Manchuria now in the occupation or under the control of the Japanese or Russian troops, with the exception of the territory above mentioned.

The Imperial Government of Russia declare that they have not in Manchuria any territorial advantages or preferential or exclusive concessions in impairment of Chinese sovereignty or inconsistent with the principle of equal opportunity.

ARTICLE IV. Japan and Russia reciprocally engage not to obstruct any general measures common to all countries, which China may take for the development of the commerce and industry of Manchuria.

ARTICLE V. The Imperial Russian Government transfer and assign to the Imperial Government of Japan, with the consent of the Government of China, the lease of Port Arthur, Talien and adjacent territory and territorial waters and all rights, privileges and concessions connected with or forming part of such lease and they also transfer and assign to the Imperial Government of Japan all public works and properties in the territory affected by the above mentioned lease.

The two High Contracting Parties mutually engage to obtain the consent of the Chinese Government mentioned in the foregoing stipulation. . . .

ARTICLE VI. The Imperial Russian Government engage to transfer and assign to the Imperial Government of Japan, without compensation and with the consent of the Chinese Government, the railway between Chang-chun (Kuan-cheng-tzu) and Port Arthur and all its branches, together with all rights, privileges and properties appertaining thereto in that region, as well as all coal mines in the said region belonging to or worked for the benefit of the railway.

The two High Contracting Parties mutually engage to obtain the consent of the Government of China mentioned in the foregoing stipulation.

ARTICLE VII. Japan and Russia engage to exploit their respective railways in Manchuria exclusively for commercial and industrial purposes and in no wise for strategic purposes.

It is understood that that restriction does not apply to the railway in the territory affected by the lease of the Liao-tung Peninsula.

The position of China during the war was a hard one—that of a neutral, a difficult one at all times and doubly so for a country not well grounded in the theory and practice of international law, and in close proximity to the belligerents. The war itself was fought on Chinese territory, and both Russia and Japan wished to purchase supplies for their troops from China. Captain W. F. Tyler, at one time in the British navy, but later in the Maritime Customs Service, reviewed China's case in a memorandum prepared for the International Congress at The Hague in 1907.

369. Extracts from memorandum on China's neutrality in Russo-Japanese War

Smith and Silby (International Law as interpreted during the Russo-Japan War) say that "it appears from her actions during the present Russo-Japanese war that China has not even a rudimentary conception of the somewhat exacting obligations of the modern neutral state"; and this statement will be read by jurists with others of a similar kind, and create a prejudice against her.

But this statement is eminently unfair. From the beginning of the war China has been most anxious to act in a correct manner, as instanced by the promulgation of neutrality rules which if anything err on the side of strictness. If she has failed in some matters it is not surprising—others have done likewise—and she is willing to accept all responsibility for such lapses as may have occurred. It will be shown presently that such lapses are very few, if not confined to a single rather doubtful instance.

It will now be convenient to consider the several matters with which China as a neutral nation has been concerned. These are as follows:

1. War operations in Manchuria.
2. Infringement of neutrality outside the fighting zone.
3. Internment of Vessels.
4. Jurisdiction over interned men.
5. The *Mandjour* and *Askold* cases.
6. The *Rechitelni* incident.
7. The *Rasteropny* incident.
8. Interned destroyers at Chefoo.
9. Refugee vessels from Baltic Fleet.
10. Trade in contraband.
11. Japan's interference in neutrality duties.

### 1. War Operations in Manchuria

The fact that practically all the military operations have taken place in territory that was nominally Chinese has been used by the Japanese in the *Rechitelni* incident to show that China's neutrality was imperfect, and that the condition of things was, as regards International Law, an anomaly and a contradiction. Such an expression, especially when used as an excuse for a gross violation of neutrality, is incorrect and unfair. A certain condition of affairs existed in Manchuria anterior to the war. This condition was that the Russians were in military occupation of it without the consent of China. At the time when war commenced China was not exercising full sovereign functions in that part. How and why this condition existed has no bearing on the question of her neutral duties. The fact exists that, when war broke out, utterly insurmountable obstacles stood in the way of fully guarding her neutrality there. No law can lay an obligation on a subject which it is impossible for him to carry out. In any case the breach of neutrality was by both sides and, as in the *Florida* case, no complaint can lie.

The situation was further regularised by the practical agreement come to, consequent on Mr. Hay's note, concerning the area of nominally Chinese territory within which fighting might take place.

Under these circumstances the fact of military operations being carried on within her territory does not in any way detract from her status as a perfectly neutral state.

### 2. Infringement of Neutrality Outside the Fighting Zone

This is a much more difficult matter to consider fairly. Undoubtedly China's desire was the strict performance of her duty as a neutral state as instanced by her neutrality rules and by her orders issued to her officers on the frontier.

The essence of neutrality duty is the non-helping of either side. A concomitant duty is active prevention of breach of neutrality. The former is one always possible to carry out. The latter may be impossible. China in this matter did her best with the means at her disposal. Moreover there was another important factor in the matter. China in this war had two distinct duties—one was the preservation of her neutrality; the other was the avoidance of being drawn into the war itself.

This latter duty was not a mere duty to herself, or perhaps it could not so well be used as an excuse for non-performance to their utmost of her neutrality obligations. It was an International duty—a duty which in a sense had been

imposed on her by the world to such an extent as to make it an International Law. And in view of the importance attaching to its fulfilment it became the prior duty to which, if necessary, the other had to give way.

This again should not be allowed to affect her status as a neutral state. She had in fact neutral duties to perform in the face of unprecedented difficulties, and she performed them to the best of her resources and abilities.

### 3. Internment of Vessels . . .

### 4. Jurisdiction over Interned Men

So long as public vessels are taking refuge in neutral ports in accordance with the municipal laws of the neutral, the principle of exterritoriality obtains, and the neutral power has no jurisdiction over them. But, with internment comes into existence another state of affairs. Internment is an alternative to proceeding to sea, an alternative dependent on the will of the neutral, and therefore subject to the conditions imposed by it. China considered she had a right to say that the interned crews of Russian vessels were on the same footing as would be interned land forces. But then arose another question: Foreigners are by treaty exterritorialised in China. What then from a jurisdictional point of view was the position of interned Russians? The view taken by China in this matter was as follows:

The Treaties in which the exterritoriality of foreigners is provided for is in reference to conditions which are normal. With the existence of war on China's borders and with the high duties of neutrality devolving on her, conditions were no longer normal.

China in respect to neutrality was acting not only for herself, but Internationally. She became the constable of International Law. Having these high duties of sovereignty to perform, it was obviously requisite for her to have the corresponding high sovereign powers necessary to enable her to fulfil those duties. If interned men were free from her jurisdiction, how could she be responsible for them? And responsible she had to be under International Law. She therefore considered that the prior obligation held and that consequently exterritoriality could not be allowed to interfere with her neutral functions. In the later cases of internment there was a formal submission by the officers and men to "the control which is customary in such cases."

But, while China maintained this attitude, she was quite aware that her juridical methods were entirely unsuited to meet the emergency. She therefore in effect delegated to the local Russian officials the power of disciplinary control to

be exercised under her superintendence without, however, prejudice to her right to take any action in respect to jurisdiction which circumstances might render necessary.

For instance, men who refused to give parole were taken and kept as prisoners on board a Chinese man-of-war without reference to the Russian Consulate. To this procedure, so far as acts of a military precaution nature were concerned, the Russian authorities tacitly agreed, but in respect to ordinary criminal jurisdiction they claimed the right of full exterritoriality.

In the one case that occurred, that of the Bund murder case (15th December, 1904) when a sailor from the *Askold* committed an unprovoked murder on a Chinese on the Bund the Russian authorities refused to allow the superintendence of the Chinese Authorities at the trial, and the circumstances were such, the prisoner never being in Chinese hands, that it was very difficult for China to do more than protest.

China provided, however, that in any other case in which the prisoner was in their hands the case should be tried either at the Consular Court with a Chinese officer on the bench or on board a Chinese man-of-war by the Consul. The opportunity for vindicating her right in this did not occur.

### 5. The "Mandjour" and "Askold" Cases

In regard to these vessels considerable delay occurred before they submitted to the disarmament which China ordered as an alternative to proceeding to sea. But when we realise the want of precedent for internment and disarmament, and the general misunderstanding of this question by most of those concerned, the delay that occurred is not surprising. However slowly and with whatever amount of fuss, China completely fulfilled her neutrality obligations in regard to them. The Russian vessels for a time were in effect interned vessels with refractory crews. They were infringing China's neutrality only in a disciplinary sense. On the other hand the consequent presence of Japanese war vessels at Woosung constituted a distinct breach of China's neutrality.

In this matter while China has a grievance against both neither can have a grievance against her.

### 6. "Rechitelni" Case

On the 11th August, 1904, while a squadron of three Chinese cruisers commanded by Rear-Admiral Sah were in the port, the Russian *Rechitelni* entered Chefoo, and in the course of the day submitted to internment.

By dark the disarmament of the boat had proceeded to the extent of the removal of all breech blocks of guns and

rifles, all war-heads, and the eccentrics of one engine, the other engine being completely broken down. The Russian officers and crew were still on board, but a guard boat in charge of a Chinese lieutenant was stationed close by. The Russian captain had given his parole for himself and crew.

Before dark two Japanese destroyers ran into port, reconnoitred and left. After dark these or others returned and anchored in the neighbourhood of the Chinese squadron and the *Rechitelni*. The Japanese destroyers were boarded by a Chinese officer who explained that the *Rechitelni* had surrendered for internment to Admiral Sah and that she had been dismantled. Admiral Sah himself visited the Japanese and told them that the *Rechitelni* was now under Chinese protection. In reply the Japanese commander said he would go away soon, probably that night.

About 3 A.M. in the morning the *Rechitelni* was boarded by a Japanese officer who demanded that she should either go outside and fight or surrender to him. The Russian captain replied that he was disabled and disarmed, and that he had given his parole not to fight again during the present war and that he was now under Chinese protection.

The Chinese guard officer came on board and confirmed this statement, then, seeing that the Japanese were taking possession of the vessel, he returned to his ship, the *Hai Yung*, for assistance. The *Hai Yung's* senior lieutenant at once started in a steam pinnance, but before he arrived two more Japanese boats had boarded the *Rechitelni*, firing and hand to hand fighting were going on, and one of the Japanese destroyers had taken her in tow. The other destroyer steamed close to the Chinese flag ship *Hai Chi*, and on a signal from that vessel being made stopped and allowed communication. Admiral Sah then sent an officer to expostulate with the Japanese on their act in cutting out in Chinese waters a vessel under his protection, especially after the assurance they had previously given. The Japanese commander in reply said he would proceed and bring the boat back and then left.

The number of men killed in this affair is not known. One Japanese body, unwounded, and one Russian body shot through the heart, were recovered.

As regards the action, or want of action, of the Chinese Navy in this matter, the facts seem quite plain.

The cutting out was an absolute surprise. Considering the explanation that had been made, and the assurances given by the Japanese officers; considering the fact that the Russian had not even completed her twenty-four hours' refuge in a neutral port which in any case she was entitled to, Admiral Sah could have no reason to suppose that so gross an outrage could be in contemplation.

The Chinese guard officer should have remained at his post and should have resisted the cutting out at all costs, but once the surprise attack was made no action on the part of Admiral Sah would have saved the situation.

It was too late to fire on the Japanese with the object of preventing the cutting out. To have fired on the other destroyer could have no object except as a retaliatory measure. It was the Admiral's duty to consider not only the immediate result, but the possible ultimate result of such a procedure. In coming to the conclusion to refrain from retaliatory measures, and to leave this matter to be settled diplomatically, he acted with that due regard to all the circumstances of the case which was proper.

Nevertheless this is a case in which China's responsibility to Russia is quite clear. But what of Japan's responsibility to China?

In reply to the protests from China, Japan made a reply which is a model of casuistry. She commenced by contending that China's neutrality was not complete and applicable only to those places which are not occupied by the armed forces of either belligerent. This contention would reduce China's neutrality to an absolute nullity and would authorise Japan to seize Russian vessels in Shanghai Harbour.

She further said that Russia cannot escape the consequence of an unsuccessful war by moving her vessels into that portion of China which has by arrangement been made conditionally neutral. How and when Chefoo was made conditionally neutral is not stated nor what "conditional" means in that connexion.

That the neutrality of Chefoo should revert with the termination of the incident is a very naïve statement and obviously points to the fact that it was neutral before.

The reference to the Russian vessels in Shanghai is entirely beside the point. For the preservation of her neutrality *vis-à-vis* these vessels, China was responsible and she fulfilled her duty, with how much trouble has nothing to do with the case.

The case of the *Rechitelni* is said to be distinguished from that of the *Florida*, and with this we quite agree, for the cutting out of the former was a much grosser act, she being at the time under the protection of the Chinese flag ship and actually disarmed.

The case is further compared to that of the *General Armstrong*, but that vessel fired on the boats of the British squadron, whereas the *Rechitelni* exercised no force until possession was taken and then only manual force.

To this outrage on her neutrality China still takes the greatest exception. In view of the attitude of the Japanese

Government on the matter, China considers the case one to be referred to the Hague Tribunal.

### 7. The "Rasteropny" Case

In the morning of the 16th November, 1904, while the Chinese cruiser *Haichew* was in port, the Russian destroyer *Rasteropny* arrived at Chefoo, and in the course of the day her surrender for internment was notified to the Chinese authorities by the Russian Consul. Before, however the Chinese officer had taken charge, her crew left her and shortly after she blew up and sank in the harbour. Her officers and men landed fully armed. After urgent representations these surrendered for internment and were sent on board the *Haichew* the same day.

In this connexion the U.S. Consul General was the medium of communication between the Japanese and Russian consulates, and bore a message to the latter that unless the *Rasteropny's* crew were sent at once to the *Haichew* the Japanese would land and take the Consulate.

The act of the Russian commander in sinking his vessel in a constricted anchorage where she became a danger to navigation was undoubtedly very improper. The object of the act is plain enough. He did not wish his vessel to suffer the same fate as that of the *Rechitelni*. But such a reason can form no valid excuse for what he did, still less can China be held responsible for the loss of his vessel.

It may be admitted that he had some reason to doubt China's power to protect him, but between taking reasonable precautions in that matter and doing what he did do there is a large gap.

### 8. The Interned Destroyers at Chefoo

In the morning of the 2nd January, 1905, four Russian destroyers and one launch entered Chefoo Harbour and during the forenoon their desire to surrender for internment was notified to the Chinese authorities. There being no Chinese war vessels in port, the Chinese authorities requested the Commissioner of Customs to take the necessary step regarding the disarmament and dismantlement of these vessels. Accordingly the work has, under considerable difficulties supervised by the Commissioner—a British subject.

In the afternoon several Japanese destroyers entered the port and anchored in the neighbourhood of the Russians, and there is no doubt that their intention was to seize the Russians in the event of their disarmament and dismantlement not being thoroughly and expeditiously effected.

In order to minimise the risk of a repetition of the *Rechitelni* incident, the crews of the Russian destroyers were removed and lodged on shore and the boats taken entire charge of by the Chinese authorities.

### 9. Refugee Vessels from the Baltic Fleet

These vessels for a time offered passive resistance to internment, and during this time they were in imminent danger of being cut out by the Japanese, who had a squadron for the purpose at the Saddles.

Had the Japanese attempted it China would have protested but not resisted.

China would have had a grievance against Japan, but Russia could have had none against China.

After they submitted the danger of being cut out at Woosung still existed in a lesser degree, but now China was prepared to defend them at all costs, and dispositions to that end were made.

### 10. Trade in Contraband . . .

### 11. Japan's Interference with Neutrality Duties

Both Russia and Japan tried to take advantage of China's supposed weakness in neutrality affairs. The Russians chiefly by passive resistance to neutrality regulations, and Japan in her violation of Chefoo, but chiefly in her attempt to dictate what China's neutrality duties were in respect to herself.

The right of Japan to make such representations as she chose on neutrality matters and to exercise an espionage—within limits—on neutral trade is not questioned. But her attempt to dictate measures in detail was wrong and likely to affect detrimentally China's neutral status. It is only necessary here to state that no action beyond those considered necessary by herself were taken by China in consequence of Japan's representations, and to repudiate the idea that as a belligerent she had the right to interfere with the details of China's neutrality duties.

In regard to this matter China's attitude was as follows: In carrying out neutrality duties China is acting as the constable of International Law. She will listen to representations from either side, but she refuses to discuss her duties or to have pressure brought to bear on her. On her rests the responsibility for giving effect to International Law. If she makes a mistake remedy can be obtained by proper process. She does not discuss, she acts and accepts the responsibility for her action.

The weakness of Korea had been the main reason for both the China-Japan War and the Russo-Japanese War. Had Korea been ruled by able and patriotic men the history of the Far East after 1905 would have been quite different. By the Portsmouth Treaty we have seen that Russia recognized Japan's predominant position in Korea. After due deliberation the government in Tokyo decided to assume direction of that country's foreign affairs, and place a resident general at Seoul. Internal affairs were for a time left to the officials of the emperor of Korea.

**370. One of the results of the war—Japanese-Korean "stipulations"**

The Governments of Japan and Corea, desiring to strengthen the principle of solidarity which unites the two Empires, have with that object in view agreed upon and concluded the following stipulations to serve until the moment arrives when it is recognized that Corea has attained national strength:—

ARTICLE I. The Government of Japan, through the Department of Foreign Affairs at Tokyo, will hereafter have control and direction of the external relations and affairs of Corea, and the diplomatic and consular representatives of Japan will have the charge of the subjects and interests of Corea in foreign countries.

ARTICLE II. The Government of Japan undertake to see to the execution of the treaties actually existing between Corea and other Powers, and the Government of Corea engage not to conclude hereafter any act or engagement having an international character, except through the medium of the Government of Japan.

ARTICLE III. The Government of Japan shall be represented at the court of His Majesty the Emperor of Corea by a Resident General, who shall reside at Seoul, primarily for the purpose of taking charge of and directing matters relating to diplomatic affairs. He shall have the right of private and personal audience of His Majesty the Emperor of Corea. The Japanese Government shall also have the right to station Residents at the several open ports and such other places in Corea as they may deem necessary. Such Residents shall, under the direction of the Resident General, exercise the powers and functions hitherto appertaining to Japanese Consuls in Corea, and shall perform such duties as may be necessary in order to carry into full effect the provisions of this agreement.

ARTICLE IV. The stipulations of all treaties and agreements existing between Japan and Corea not inconsistent with the provision of this agreement shall continue in force.

ARTICLE V. The Government of Japan undertake to maintain the welfare and dignity of the Imperial House of Corea.

In faith whereof the undersigned, duly authorized by the Governments, have signed this agreement and affixed their seals.

(Signed) HYASHI GONSUKE,
*Envoy Extraordinary and Minister Plenipotentiary.*

(Signed) PAK CHE SOON,
*Minister for Foreign Affairs.*

November 17, 1905.

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** McGOVERN, *Modern Japan* (London, 1920); J. V. A. MACMURRAY, *Treaties and Agreements with and Concerning China, 1894–1919* (New York, 1921), 2 vols.; K. ASAKAWA, *The Russo-Japanese Conflict: Its Causes and Issues* (Westminster, 1904); SEDGWICK, *The Russo-Japanese War on Land* (London, 1906); KUROPATKIN, *The Russian Army and the Japanese War* (London, 1909); DOUGLAS, *Europe and the Far East, 1506–1912* (Cambridge Univ. Press, 1913); GIBBONS, *The New Map of Asia, 1900–1919* (New York, 1919); GRIFFIS, *Corea The Hermit Nation* (New York, 1911); LATOURETTE, *The Development of China*, Chap. VI (Boston and New York, 1917); *The Memoirs of Count Witte* (Garden City, N. Y., 1921); PUTNAM WEALE, *The Re-Shaping of the Far East*, 2 vols. (London, 1905); TAKAHASHI, *International Law Applied to the Russo-Japanese War* (New York, 1908); PALMER, *With Kuroki in Manchuria* (New York, 1904); MARTIN, *The Awakening of China* (New York, 1910); BEVERIDGE, *The Russian Advance* (New York and London, 1904); VLADIMIR, *Russia on the Pacific and the Siberian Railway* (London, 1899); WASHBURN, *Nogi* (New York, 1913); P. M. ROXBY, *The Far Eastern Question in Its Geographical Setting* (Geographical Association, Aberystwyth); POOLEY (Editor), *The Secret Memoirs of Count Tadasu Hayashi* (New York, 1915); POOLEY, *Japan's Foreign Policies* (London, 1920); LAWTON, *Empires of the Far East* (London, 1912); MORSE, *International Relations*, Vol. 3, Chap. XV (Shanghai, 1918).

# CHAPTER XV

## THE FALL OF THE EMPIRE AND THE ESTABLISHMENT OF THE REPUBLIC

### *Section 64. The Constitutional Reform Movement*

From the failure of the reform movement under Kuang Hsü until 1905 there was little political reform in China. In December of that year, however, a constitutional commission was sent to foreign countries to study the working of popular, or constitutional, government and to report its findings to the throne. Duke Tsai Tse, Li Sheng-to, and Shang Ki-hung went to Japan; Tuan Fang and Tai Hung-tsi traveled in America and Europe. The report of the commissioners was favorable to the introduction of constitutional government into China. An imperial committee was appointed to study Duke Tsai Tse's report and to report upon it. This was toward the end of August, 1906; on September 1, the following imperial edict was issued:

**371. Reform edict of September 1, 1906**

We have received a Benign Command of the Empress Dowager to the effect:

Since the establishment of this Dynasty one illustrious Emperor succeeded another, and none of them has failed to alter or modify the governmental system so as to adapt it to the changed circumstances and to enact forthwith the alterations and modifications into laws.

Now all the countries in the world have been brought into communication and close touch, and hence the governmental system and laws of one country cannot be with convenience entirely independent of and different from those of another.

The governmental system and laws of our country have been transmitted from generation to generation with so little change and improvement that they are now out of harmony with the general existing conditions of the world, with the result that our country is in a dangerous position and we are filled with great anxiety and earnest apprehension. Without making extensive researches into the political systems and governmental methods of other countries so as to reform ours we shall not be able to carry out the plan laid down by our Ancestors on the one hand, and meet the expectation of the people for peace and order on the other. Therefore we sent our High Ministers to various countries to study and investigate their governmental systems and administrative methods. Now, these Ministers have returned, and in their report all submitted their opinion, as the result of their study and investigation, that the weakness and inefficiency of our country is due to the lack of close touch between the government and the people and the entire separation of those who are in office and those who are not. The officials do not know how to protect the people, and the people how to defend the country. That other countries are wealthy and strong is primarily due to the adoption of a constitution, by which all the people are united in one body and in constant communication, sane and sound opinions are extensively sought after and adopted, powers are well divided and well defined, and financial matters and legislation are discussed and decided upon by the people. Moreover, other countries look to one another for improvement, and amend their constitutions and change their laws to their highest efficiency. So it is not a mere accident that their governments are in such a good working order and their peoples enjoy so great happiness.

The advantages of constitutional government

In view of the situation our country is in, there is no other way to power and prosperity than, after having carefully and minutely examined the constitutions of other countries, to adopt one by selecting portions of all, if necessary, best suited to us, whereby all civil affairs are open to the public but the controlling remain with the Throne, so that a permanent and proper foundation may be laid for our country. But at present no definite plan has been decided upon and the people are not educated enough for a constitution; if we adopt one hastily and regardless of the circumstances, it will be nothing more than a paper constitution. Then how can we stand before the people and ask them to repose confidence in us?

First of all, let us do away with all the long-continued corruptions and clearly define responsibilities. To effect these we must begin with the reform of the official system

Preparations for constitutional government

by deciding upon what new offices should be created and what old ones should be abolished, and then introduce the change gradually. Different codes of laws should be drawn up, national education co-extensive with our territory established, the financial system reformed, the army remodeled, and the modern police system adopted. All classes of the people should be taught to understand and to take an interest in politics, so as to prepare themselves to participate in the coming constitutional government.

Therefore we hereby command all the ministers and officials both within and without the metropolis to exert their utmost to carry out our purpose and realize it in definite results, so that after several years, when the plan shall have been fairly well drawn up, we, after having ascertained the general condition of the people and in accordance with the rules used in other countries at such a juncture and for such a purpose, will definitely decide upon the adoption of a constitution. The date when it will go into operation will be announced to the people in due time, the length of time intervening between the present and the date of such announcement being solely dependent upon the progress of the people in education.

We further command the Resident-Generals, Viceroys, and Governors to inform all classes of the people to this effect that: they make a special effort for education, know the principles of loyalty to the Emperor and patriotism to the country, understand the importance of union and progress, abstain from interfering with public welfare by a selfish purpose or defeating the accomplishment of a large object by a little discontent, respect order, and preserve peace—all these in order to acquire the qualifications of a subject under a constitutional government. This is our earnest hope.

The next step in the introduction of constitutional government was the issue of an imperial edict on September 20, 1907, a little over one year later than the one above. This edict provided for the establishment of a government council.

372. Imperial edict of September 20, 1907

We have received a Benign Command of the Empress Dowager to the effect:

As the principle of a constitutional government requires that a political question be decided by public opinion, and as the Upper and Lower Houses of a Parliament are the

source of political acts, it is extremely urgent that a Government Council be created to serve as the foundation of a Parliament inasmuch as the latter cannot be established at present. Accordingly we hereby appoint Pu Lun and Sun Chianai to be the Presidents of the said Council, who, in conjunction with the Grand Council, shall carefully draw up detailed regulations therefor for promulgation.

A month later, on October 19, another edict was issued by the Empress Dowager for the purpose of creating provincial assemblies. The duties of these were rather carefully specified:

**373. Edict creating provincial assemblies**

We have received a Benign Command of the Empress Dowager to the effect:

We sometime ago issued an Edict establishing a Government Council in the Capital to serve as the foundation of the future Parliament. But at the same time there should be in all the Provinces political organs whereby to ascertain the public opinion, so that the people in those Provinces may have the opportunity of pointing out and stating the benefits and evils existing in their particular Provinces, planning local peace, and being trained for service in the Government Council. Accordingly we hereby command the Viceroys and Governors of all the Provinces to establish in their respective Provincial Capitals Provincial Assemblies, carefully to select upright and experienced officials and gentry to commence the work, and to order qualified people to elect worthy and able men to be the members of the said Assemblies, and vigilantly to guard against the entrance of persons of an insubordinate disposition, or of a disorderly conduct, or of selfish pursuit, or of wilfulness. As to what are to be established and what are to be abolished concerning local welfare the members of the said Assemblies shall have power to discuss, pass resolutions, and apply to their Viceroys or Governors for decision and execution; but as regards matters of importance, submission of the proposals to the Throne for approval is necessary before their execution. To the Government Council the members of the Provincial Assemblies may be elected by co-optation. Whenever there is a necessity of directing an inquiry to a particular Provincial Assembly by the Government Council, the latter may, on the one hand, send the communication to the Viceroy or the Governor concerned for transmission, and on the other communicate directly with the Provincial Assembly concerned for report. Conversely, whenever a Provincial Assembly submits questions to the said Council, it may, on the one

hand, notify the Viceroy or the Governor of the fact, and on the other directly send the representation to the said Council for investigation and decision. As to local self-government in prefectures, departments and districts, preparation should be made with earnestness for the purposes of recruiting more men of ability for public service and carrying into effect the principle that civil affairs should be left to the public, so that our hope and solicitude for peace and order may be realized.

The lack of specification of a time for the establishment of a parliament under a constitutional government, and a general vagueness on the part of the court, led the more ardent of the constitutionalists in the spring of 1908 to send delegates to Peking to petition for the new government's establishment at an early date. On August 27, came an imperial edict setting forth the plan of the court for the preparation and gradual introduction of the type of government desired by the petitioners.

374. The nine-year preparation plan: August 27, 1908

We have received a Benign Command of the Empress Dowager to the effect:

Princes and High Ministers Yi Kwang, Pu Lun, and the rest of the Constitution-Framing Commission and the Government Council have jointly presented a memorial containing proposed Principles of a Constitution and proposed Fundamental Laws of a Parliament and Election.

In view of the weakness of the nation and constant occurrence of unforeseen and undesirable events, unless there be union and harmony between the Throne and the subjects there is no hope of maintaining the national existence; unless there be enforcement of discipline there is no way of preserving peace and order; and unless there be mutual encouragement and mutual correction between the officials and the people there is no means of making progress and realizing substantial results. The principles of a Constitution and fundamental laws of a Parliament and Election proposed by the said Princes and High Ministers, clear and methodical in their classification and well-defined in the division of powers, at once importing the excellences of the governmental systems of other countries and preserving in its entirety the civilization of China, are in strict accordance with the intent embodied in the Edicts repeatedly issued in recent

times to the effect that supreme powers will remain with the Throne while civil affairs shall be open to the public opinion. When the day arrives for the framing of a constitution, these proposed principles and fundamental laws shall serve as the foundation, and the powers defined therein shall be strictly adhered to.

But before the opening of the Parliament and promulgation of the Constitution the existing system remains in full force, and the people shall patiently wait for the fulfilment of the grant after a systematic preparation.

As to the subjects of preparation to be carried out each year as arranged in the program, all of them are necessary functions of a constitutional government, and shall be gradually put into execution in good faith. It is hereby commanded to the said Princes and High Ministers that the program shall be appended to this Edict, printed, presented for affixing the Imperial Seal, and distributed to all offices both in the Capital and in the Provinces, to be posted high in the Hall for the purpose of holding all officials, metropolitan or provincial, to the actual and orderly carrying out of the arranged program. At the end of every six months every official shall, on the one hand, memorialize the Throne with an orderly statement of facts concerning the works accomplished by or under him, and on the other present the same to the Constitution-Framing Commission for verification. Whenever there is a change of personnel in the office of President of the Boards or of the Courts in the Capital or in the office of Viceroy, Governor, Prefect or Magistrate, the predecessor (in conjunction with the successor) shall memorialize the Throne reporting the work accomplished during his occupancy, so that the merits and demerits of the incumbents may be severally determined and there may be no shirking and devolution of duties. . . . And if the said Princes, High Ministers and the rest should in any way commit collusion or suppress facts or shield offenders to the detriment of the general welfare of the nation, no mercy will be shown. At such a critical juncture the officials, metropolitan as well as provincial, being indebted to the nation, should be awake to the dangers and exert their utmost to eradicate any evil habits. . . . The officials of the departments concerned in the Capital and the Viceroys and the Governors in the Provinces shall hold their subordinates to the carrying out of the plans of education and self-government among the people. The Parliament will be opened as soon as the program shall have been brought to a successful issue. In nine years, commencing from this year, the assigned work shall be completed. Then the Constitution shall be promulgated and the Parliament convoked. . . .

## *Section 66. The Death of the Emperor Kuang Hsü, the Empress Dowager, and the Accession of P'u Yi (Hsüan T'ung)*

When the emperor T'ung Chih, the predecessor of Kuang Hsü, died in January, 1875, no child had been born to or adopted by him; consequently there immediately arose the question as to the line of succession and the provision of an heir who should be qualified to carry out the prescribed ancestral sacrifices. The customs of

THE REGENT, PRINCE SHUN, WITH HIS TWO SONS, EMPEROR HSÜAN T'UNG (STANDING) AND PRINCE PU CHIEH

primogeniture and ancestor worship were both broken when his cousin in the same generation (who was therefore not qualified for adoption) was chosen, at the behest of Tz'ŭ Hsi, and adopted as the heir of the emperor Hien Feng. T'ung Chih was left without an heir, but a decree

was issued on January 13, 1875, the day after his death, stating that as soon as the new emperor Kuang Hsü should beget a son this son should be "adopted as the inheritor of His Majesty now departed." Thus the spirit of T'ung Chih was to be appeased. This will explain the arrangements made at the election of Kuang Hsü's successor in 1908.

**375. Kuang Hsü's death and the choice of his successor**

PRINCE CH'ING

. . . On Monday, November 9th, both the Empress Dowager and the Emperor were present at a meeting of the Grand Council, and a special audience was given to the Educational Commissioner of Chihli province, about to leave for his post. . . .

Shortly afterwards four more physicians, who had come up from the provinces, were admitted to see His Majesty. That same afternoon he had a serious relapse, and from that day forward never left his palace. On the following morning he sent a dutiful message (or it was sent for him) enquiring after the Empress Dowager's health, she being also confined to her room and holding no audiences. The Court physicians reported badly of both their Imperial patients: being fearful as to the outcome, they begged the Comptroller-General of the Household to engage other physicians in their place. The Grand Council sent a message to Prince Ch'ing, directing him to return to Peking with all haste, his presence being required forthwith on matters of the highest importance. Travelling night and day, he reached the capital at about eight o'clock in the morning of the 13th, and hastened to the palace. He found the Old Buddha cheerful and confident of ultimate recovery, but the Emperor was visibly sinking, his condition being comatose, with short lucid intervals. His last conscious act had been to direct his Consort to inform the Empress Dowager that he regretted being unable to attend her, and that he hoped that she would appoint an Heir Apparent without further delay. Whether these dutiful messages were

spontaneous or inspired, and indeed, whether they were ever sent by the Emperor, is a matter upon which doubt has been freely expressed.

Immediately after the arrival of Prince Ch'ing, an important audience was held in the Hall of Ceremonial Phœnixes. Her Majesty was able to mount the Throne, and, although obviously weak, her unconquerable courage enabled her to master her physical ailments, and she spoke with all her wonted vehemence and lucidity. . . .

Her Majesty announced that the time had come to nominate an Heir to the Emperor T'ung-Chih, in accordance with that Decree of the first day of the reign of Kuang-Hsü, wherein it was provided that the deceased Sovereign's ancestral rites should be safeguarded by allowing him precedence over his successor of the same generation. Her choice, she said, was already made, but she desired to take the opinion of the Grand Councillors in the first instance. Prince Ch'ing and Yüan Shih-k'ai then recommended the appointment of Prince P'u Lun, or, failing him, Prince Kung. They thought the former, as senior great-grandson of Tao-Kuang, was the more eligible candidate, and with this view Prince Ch'un seemed disposed to agree. The remaining Grand Councillors, however, advised the selection of Prince Ch'un's infant son.

After hearing the views of her Councillors, the Old Buddha announced that long ago, at the time when she had betrothed the daughter of Jung Lu to Prince Ch'un, she had decided that the eldest son of this marriage should become Heir to the Throne, in recognition and reward of Jung Lu's lifelong devotion to her person, and his paramount services to the Dynasty at the time of the Boxer rising. She placed on record her opinion that he had saved the Manchus by refusing to assist in the attack upon the Legations. In the 3rd Moon of this year she had renewed her pledge to Jung Lu's widow, her oldest friend, just before she died. She would, therefore, now bestow upon Prince Ch'un as Regent, the title of "Prince co-operating in the Government," a title one degree higher than that which had been given to Prince Kung in 1861, who was made "Adviser to the Government" by herself and her co-Regent.

Upon hearing this decision, Prince Ch'un arose from his seat and repeatedly kowtowed before Her Majesty, expressing a deep sense of his own unworthiness. Once more Yuan Shih-k'ai courageously advanced the superior claims of Prince P'u Lun: he was sincerely of opinion that the time had come for the succession to be continued along the original lines of primogeniture; it was clear also that he fully realised that Prince Ch'un was his bitter enemy. The Old Buddha turned upon him with an angry reprimand. "You

Yuan Shih-k'ai versus the Empress Dowager

think," she said, "that I am old, and in my dotage, but you should have learned by now that when I make up my mind nothing stops me from acting upon it. At a critical time in a nation's affairs a youthful Sovereign is no doubt a source of danger to the State, but do not forget that I shall be here to direct and assist Prince Ch'un." Then, turning to the other Councillors, she continued:—"Draft two decrees at once, in my name, the first, appointing Tsai-feng, Prince Ch'un, to be 'Prince co-operating in the Government' and the second commanding that Prince P'u Yi, son of Prince Ch'un, should enter the palace forthwith, to be brought up within the precincts." She ordered Prince Ch'ing to inform the Emperor of these Decrees.

Kuang-Hsü was still conscious, and understood what Prince Ch'ing said to him. "Would it not have been better," he said, "to nominate an adult? No doubt, however, the Empress Dowager knows best." Upon hearing of the appointment of Prince Ch'un to the Regency, he expressed his gratification. This was at 3 P.M.; two hours later the infant Prince had been brought into the Palace, and was taken by his father to be shown both to the Empress Dowager and the Emperor. At seven o'clock on the following morning the physicians in attendance reported that His Majesty's "nose was twitching and his stomach rising," from which signs they knew that his end was at hand. During the night, feeling that death was near, he had written out his last testament, in a hand almost illegible, prefacing the same with these significant words:—

"We were the second son of Prince Ch'un when the Empress Dowager selected Us for the Throne. She has always hated Us, but for Our misery of the past ten years Yüan Shih-k'ai is responsible, and one other" (the second name is said to have been illegible). "When the time comes I desire that Yüan be summarily beheaded."

**Kuang Hsü's valedictory decree**

The Emperor's consort took possession of this document, which, however, was seen by independent witnesses. Its wording goes to show that any conciliatory attitude on the part of the Emperor during the last year must have been inspired by fear and not by any revival of affection. . . .

At 3 P.M. the Empress Dowager came to the "Ocean Terrace" to visit the Emperor, but he was unconscious, and did not know her. Later, when a short return of consciousness occurred, his attendants endeavoured to persuade him to put on the Ceremonial Robes of Longevity, in which etiquette prescribes that sovereigns should die. It is the universal custom that, if possible, the patient should don these robes in his last moments, for it is considered unlucky

if they are put on after death. His Majesty, however, obstinately declined, and at five o'clock he died, in the presence of the Empress Dowager, his consort, the two secondary consorts, and a few eunuchs. The Empress Dowager did not remain to witness the ceremony of clothing the body in the Dragon Robes, but returned forthwith to her own palace, where she gave orders for the issue of his valedictory Decree and for the proclamation of the new Emperor.

The most interesting passage of the Emperor's valedictory Decree was the following:—"Reflecting on the critical condition of our Empire, We have been led to combine the Chinese system with certain innovations from foreign countries. We have endeavoured to establish harmony between the common people and converts to Christianity. We have reorganised the army and founded colleges. We have fostered trade and industries and have made provision for a new judicial system, paving also the way for a Constitutional form of government, so that all our subjects may enjoy the continued blessings of peace." After referring to the appointment of the Regent and the nomination of a successor to the Dragon Throne, he concluded (or rather the Empress concluded for him) with a further reference to the Consitution, and an appeal to his Ministers to purify their hearts and prepare themselves, so that, after nine years, the new order may be accomplished, and the Imperial purposes successfully achieved.

The death of the emperor Kuang Hsü, on November 14, 1908, without an heir, and the adoption of his successor P'u Yi (reign title, Hsüan T'ung) as heir to T'ung Chih, left conditions, as far as ancestral sacrifices were concerned, as they were in 1875. Tz'ü Hsi cut the Gordian knot in a neat and characteristic manner: she decreed that the new emperor, although heir by adoption to T'ung Chih, should "perform joint sacrifices at the shrine of His Majesty Kuang Hsü." Thus the spirit of Kuang Hsü as well as that of T'ung Chih should be at rest.

On the night of the fourteenth, the empress's health seemed to be improving. About noon of the next day, after having spent the morning attending to affairs of state, she suddenly became worse, and died at 3 P.M.—less

than one day after the emperor Kuang Hsü. Shortly before her death, she ordered the preparation of her valedictory decree, which she herself corrected and amended. The concluding paragraph, and the first sentence in the paragraph preceding this came from her own pen.

376. Tz'ŭ Hsi's valedictory mandate

*The Valedictory Mandate of Her Majesty Tz'ŭ-Hsi-Tuan-Yu-K'ang-I-Chao-Yü-Chuang-Cheng-Shou-Kung Ch'in-Hsien-Ch'ung-Hsi, the Empress Grand Dowager, declareth as follows:—*

"I, of humble virtue, did reverently receive the appointment of the late Emperor Hsien-Feng, which prepared for me a place amongst his Consorts. When the late Emperor T'ung-Chih succeeded in early childhood to the Throne, there was rebellion still raging in the land, which was being vigourously suppressed. Not only did the Taiping and turbaned rebels engage in successive outbreaks, but disorder was spread by the Kuei-chou aborigines and by Mahomedan bandits. The provinces of the coast were in great distress, the people on the verge of ruin, widespread distress confronting us on all sides.

"Co-operating then with the senior Consort of Hsien-Feng, the Empress Dowager of the Eastern Palace, I undertook the heavy duties of Government, toiling ever, day and night. Obeying the behests of His late Majesty, my husband, I urged on the Metropolitan and provincial officials, as well as the military commanders, directing their policies and striving for the restoration of peace. I employed virtuous officials and was ever ready to listen to wise counsel. I relieved my people's distress in time of flood and famine. By the goodwill and bounty of Heaven, I suppressed the rebellions and out of dire peril restored peace. Later, when the Emperor T'ung-Chih passed away and the Emperor Kuang-Hsü, now just deceased, entered by adoption upon the great heritage, the crisis was even more dangerous and the condition of the people even more pitiable. Within the Empire calamities were rife, while from abroad we were confronted by repeated and increasing acts of aggression.

"Once again it became my inevitable and bounden duty to assume the Regency. Two years ago I issued a Decree announcing the Throne's intention to grant a Constitution, and this present year I have promulgated the date at which it is to come into effect. Innumerable affairs of State have required direction at my hands and I have laboured without

ceasing and with all my might. Fortunately, my constitution was naturally strong, and I have been able to face my duties with undiminished vigour. During the summer and autumn of this year, however, I have frequently been in bad health, at a time when pressing affairs of State allowed me no repose. I lost my sleep and appetite, and gradually my strength failed me. Yet even then I took no rest, not for a single day. And yesterday saw the death of His Majesty Kuang-Hsü; whereat my grief overwhelmed me. I can bear no more, and so am I come to the pass where no possible hope of recovery remains.

"Looking back upon the memories of these last fifty years, I perceive how calamities from within and aggression from without have come upon us in relentless succession, and that my life has never enjoyed a moment's respite from anxiety. But to-day definite progress has been made towards necessary reforms. The new Emperor is but an infant, just reaching the age when wise instruction is of the highest importance. The prince Regent and all our officials must henceforward work loyally together to strengthen the foundations of our Empire. His Majesty must devote himself to studying the interests of the country and so refrain from giving way to personal grief. That he may diligently pursue his studies, and hereafter add fresh lustre to the glorious achievements of his ancestors, is now my most earnest prayer.

"Mourning to be worn for only twenty-seven days.

"Cause this to be everywhere known!

"Tenth Moon, 23rd day (November the 15th)."

In explanation of the list of titles of the Empress Dowager appended to her valedictory decree the distinguished biographers of the empress, Mr. J. O. P. Bland and Sir Edmund Backhouse, comment as follows: "The title by which Her Majesty was canonised contains no less than twenty-two characters, sixteen of which were hers at the day of her death, the other six having been added in the imperial decrees which recorded her decease and praised her glorious achievements. The first character 'Dutiful'—*i. e.* to her husband—is always accorded to a deceased Empress. It is significant of the unpractical nature of the *literati*, or of their cynicism, that the

second of her latest titles signifies 'reverend,' implying punctilious adherence to ancestral traditions! The third and fourth mean 'Equal of Heaven,' which places her on a footing of equality with Confucius, while the fifth and sixth raise her even higher than the Sage in the national pantheon, for it means 'Increase in Sanctity,' of which Confucius was only a 'Manifestor.' In the records of the Dynasty she will henceforth be known as the Empress 'Dutiful, Reverend and Glorious,' a title, according to the laws of Chinese honorifics, higher than any woman ruler has hitherto received since the beginning of history."

It is by no means easy to balance the evil against the good, the petty against the great characteristics of an able ruler in an absolute monarchy. The Dowager Empress has been violently denounced and fulsomely praised, by many according to their point of view. Her biographers, so often quoted previously, have attempted to summarize, in a fair and accurate manner, the many-sided character of Her Majesty Tz'ŭ-Hsi.

**377. Character sketch of the Empress Dowager**

. . . Despite her swiftly changing and uncontrolled moods, her childish lack of moral sense, her unscrupulous love of power, her fierce passions and revenges, Tzŭ Hsi was no more the savage monster described by "Wen Ching,"* than she was the benevolent, fashion-plate Lady Bountiful of the American magazines. She was simply a woman of unusual courage and vitality, of strong will and unbounded ambition, a woman and an Oriental, living out her life by such lights as she knew, and in accordance with the traditions of her race and caste. Says Ching Shan in the Diary: "*The nature of the Empress is peace-loving: she has seen many springs and autumns. I myself know well her refined and gentle tastes, her love of painting, poetry and the theatre. When in a good mood she is the most amiable and tractable of women, but at times her rage is awful to witness.*" Here we have the woman drawn from life, without *arriere pensée*, by a just but sympathetic observer, the woman who could win, and hold, the affectionate loyalty of the greatest men of her time, not to speak of that of her retainers and serving maids; the

*The pen name of one of K'ang Yu-wei's followers [Ed. note].

woman whose human interest and sympathy in everything around her, were not withered by age nor staled by custom; yet who, at a word, could send the fierce leaders of the Boxers cowering from her presence. . . .

Let us also remember that in the East to-day . . . pain and death are part of the common, every-day risks of life, risks lightly incurred by the average Oriental in the great game of ambitions, loves and hates that is for ever played around the Throne. Tzŭ Hsi played her royal part in the great game, but it is not recorded of her that she ever took life from sheer cruelty or love of killing. When she sent a man to death, it was because he stood between her and the full and safe gratification of her love of power. When her fierce rage was turned against the insolence of the foreigner, she had no scruple in consigning every European in China to the executioner; when the Emperor's favourite concubine disputed her Imperial authority, she had no hesitation in ordering her to immediate death; but in every recorded instance, except one, her methods were swift, clean, and from the Oriental point of view, not unmerciful. She had no liking for tortures, or the lingering death. . . . Her methods, in fact, were Elizabethan rather than Florentine. . . .

Like many great rulers of the imperious and militant type, she was remarkably superstitious, a punctilious observer of the rites prescribed for averting omens and conciliating the myriad gods and demons of the several religions of China, a liberal supporter of priests and soothsayers. . . .

The qualities which made up the remarkable personality of the Empress were many and complex, but of those which chiefly contributed to her popularity and power we would place, first, her courage, and next, a certain simplicity and directness—both qualities that stand out in strong relief against the timorous and tortuous tendencies of the average Manchu. . . .

As was only natural, Tzŭ Hsi was not above favouring her own people, the Manchus, but one great secret of the solidity of her rule undoubtedly lay in her broad impartiality and the nice balance which she maintained between Chinese and Manchus in all departments of the Government. She had realised that the brains and energy of the country must come from the Chinese, and that if the Manchus were to retain their power and sinecure positions, it must be with the good will of the Chinese and the loyalty of the Mandarin class in the provinces. From the commencement of her rule, down to the day when she handed over her Boxer kinsmen to the executioner, she never hesitated to inflict impartial punishment on Manchus, when public opinion was against them. . . .

Apart from a keen natural aptitude for State affairs (similar to that of Queen Victoria whom she greatly admired from afar), Tzŭ Hsi maintained to the end of her days a lively interest in literature and art, together with a healthy and catholic appetite for amusement. She had an inveterate love for the theatre, for masques and pageants, which she indulged at all times and places, taking a professional interest in the players and giving much advice about the performances, which she selected daily from a list submitted to her. . . .

Her love of literature and profound knowledge of history did much to win for her the respect of the Mandarin class, with whom the classics are a religion. In her reading she was, however, broad-minded, not to say omnivorous; it was her custom to spend a certain time daily in having ancient and modern authors read aloud by eunuchs specially trained in elocution. . . .

Combined, however, with her love of sumptuous display and occasional fits of Imperial munificence, Tzŭ Hsi possessed a certain housewifely instinct of thrift which, with advancing age, verged on parsimony. . . . At the time of her death her private fortune, including a large number of gold Buddhas and sacrificial vessels stored in the palace vaults, was estimated by a high official of the Court at about sixteen millions sterling. The estimate is necessarily a loose one, being Chinese, but it was known with tolerable certainty that the hoard of gold buried in the Ning-Shou Palace at the time of the Court's flight in 1900, amounted to sixty millions of taels (say, eight millions sterling), and the "tribute" paid by the provinces to the Court at T'ai-yüan and Hsi-an would amount to as much more.

Tzŭ Hsi was proud of her youthful appearance, and justly so, for she retained until advanced old age a clear complexion and youthful features. (To an artist who painted her portrait not long before her death she expressed a wish that her wrinkles should be left out.) By no means free from feminine vanity, she devoted a considerable amount of time each day to her toilet, and was particularly careful about the dressing of her hair. At the supreme moment of the Court's flight from the Palace, in 1900, she was heard to complain bitterly at being compelled to adopt the Chinese fashion of head-dress. . . .

Such was Tzŭ Hsi, a woman whose wonderful personality and career cannot fail to secure for her a place amongst the rulers who have become the standards and pivots of greatness in the world's history. The marvellous success of her career and the passionate devotion of her partisans are not to be easily explained by any ordinary process of analysis or comparison; but there is no doubt that they were chiefly

due to that mysterious and indefinable quality which is called charm, a quality apparently independent alike of morals, ethics, education, and what we call civilisation; universal in its appeal, irresistible in its effect upon the great majority of mankind. . . .

Tzŭ Hsi died as she had lived, keen to the last, impatient of the bonds of sickness that kept her from the new day's work, hopeful ever for the future. Unto the last her thoughts were of the Empire, of that new plan of Constitutional Government wherein she had come to see visions of a new and glorious era for China and for herself. And when the end came, she faced it, as she had faced life, with a stout heart and brave words, going out to meet the Unknown as if she were but starting for a summer picnic. Reluctantly she bade farewell to the world of men, to the life she had lived with so keen a zest; but . . . she bowed gracefully to the inevitable, leaving the scene with steadfast and Imperial dignity, confident in her high destinies to come.

## *Section 67. The Revolution of 1911*

The promise to grant a constitution after a nine years' preparation was a source of disappointment to the progressive element in the reform party. Three petitions for the early convocation of a national assembly were sent to Peking in the months of January, July, and October, 1910. The first had no effect; the second received a flat refusal to consider the matter further; the third resulted in an edict on November 4. The gist of this is as follows:

**378. The imperial edict of November 4, 1910**

. . . Now, in view of the ever-changing conditions and the daily increasing danger, we have been filled with anxiety and have sought a way to safety. After a careful examination, we came to the conclusion that the way out of the difficulty lay in an early adoption of a Constitution—a conclusion we had arrived at before the request therefor made by the officials and people, the only consideration deterring us from carrying out our conclusion being the fear that, on account of the insufficiency of the educational qualifications of the people and the lack of financial strength, over-hastiness might defeat our purpose. We waited for a decision by public opinion and the ministers' discussion. Now, seeing

the sincere prayer of the popular delegation and the desire for speedy progress on the part of almost half of the officials, metropolitan as well as provincial, and the growing interest and unanimous opinion of the people, we are warranted in holding that the people are ready to assume responsibilities under a constitutional government. Therefore we comply with their wish to give respect to public opinion. But before the opening of a Parliament preliminary measures are important and numerous, and cannot be accomplished in less than one or two years. So it is hereby commanded that a Parliament shall be opened in the fifth year (1913) of the Reign of Hsuan Tung; that the official system shall be reformed, published and tentatively applied at an earlier date as the preliminary step to the organization of a Cabinet; and that in accordance with the principles already sanctioned a Constitution, along with regulations governing the Parliament, the Election of the members of the Upper and Lower Houses, and other regulations pertaining to the Constitution, shall be drawn up and published before the opening of the Parliament.

All the plans and edicts of the Manchu imperial family for gradual development of the idea of limited and constitutional monarchy were not sufficient to hold in leash the forces of radical and immediate reform, and the pent-up hatred of being ruled by a foreign dynasty. When any important movement in history is studied, it is necessary not only to understand the incidents and conditions that have immediately preceded the change, but to consider the background factors as well. This, Mr. Lennox Simpson (Putnam Weale) does in the accompanying selection.

**379. The background of the Revolution**

The revolution which broke out in China on the 10th October, 1911, and which was completed with the abdication of the Manchu Dynasty on the 12th February, 1912, though acclaimed as highly successful, was in its practical aspects something very different. With the proclamation of the Republic, the fiction of autocratic rule had truly enough vanished; yet the tradition survived and with it sufficient of the essential machinery of Imperialism to defeat the nominal victors until the death of Yuan Shih-kai.

The movement to expel the Manchus, who had seized the Dragon Throne in 1644 from the expiring Ming Dynasty, was an old one. . . . But there is little doubt that the famous Ko-lao-hui, a Secret Society with its headquarters in the remote province of Szechuan, owed its origin to the last of the Ming adherents. . . . At least, we know one thing definitely: that the attempt of the life of the Emperor Chia Ching in the Peking streets at the beginning of the Nineteenth Century was a Secret Society plot, and brought to an abrupt end the pleasant habit of travelling among their subjects which the great Manchu Emperors K'anghsi and Ch'ien Lung had inaugurated and always pursued and which had so largely encouraged the growth of personal loyalty to a foreign House.

From that day onwards for over a century no Emperor ventured out from behind the frowning walls of the Forbidden City save for brief annual ceremonies such as the Worship of Heaven on the occasion of the Winter Solstice, and during the two "flights.". . .

The effect of this immurement was soon visible; the Manchu rule, which was emphatically a rule of the sword, was rapidly so weakened that the emperors became no more than *rois fainéants* at the mercy of their ministers. The history of the Nineteenth Century is thus logically enough the history of successive collapses. Not only did overseas foreigners openly thunder at the gateways of the empire and force an ingress, but native rebellions were constant and common. Leaving minor disturbances out of account, there were during this period two huge Mahommedan rebellions, besides the cataclysmic Taiping rising. . . . The empire, torn by internecine warfare, surrendered many of its essential prerogatives to foreigners, and by accepting the principle of extraterritoriality prepared the road to ultimate collapse. . . .

In reality, the office of emperor was never more than a politico-religious concept, translated for the benefit of the masses into socio-economic ordinances. These pronouncements, cast in the form of periodic homilies called Edicts, were the ritual of government; their purpose was instructional rather than mandatory; they were designed to teach and keep alive the State-theory that the Emperor was the High Priest of the Nation and that obedience to the morality of the Golden Age, which had been inculcated by all the philosophers since Confucius and Mencius flourished twenty-five centuries ago, would not only secure universal happiness but contribute to national greatness. . . .

. . . Authority of every kind was *delegated* by the Throne to various distant governing centuries in a most complete and sweeping manner, each group of provinces, united under

a viceroy, being in everything but name so many independent linked commonwealths, called upon for matricular contributions in money and grain but otherwise left severely alone. The chain which bound provincial China to the metropolitan government was therefore in the last analysis finance and nothing but finance; and if the system broke down in 1911 it was because financial reform—to discount the new forces of which the steam engine was the symbol—had been attempted, like military reform, both too late and in the wrong way, and instead of strengthening, had vastly weakened the authority of the Throne.

In pursuance of the reform-plan which became popular after the Boxer Settlement had allowed the court to return to Peking from Hsianfu, the viceroys found their most essential prerogative, which was the control of the provincial purse, largely taken from them and handed over to Financial Commissioners who were directly responsible to the Peking Ministry of Finance, a Department which was attempting to replace the loose system of matricular contributions by the European system of a directly controlled taxation every penny of which would be shown in an annual Budget. No doubt had time been vouchsafed, and had European help been enlisted on a large scale, this change could ultimately have been made successful. But it was precisely time which was lacking; and the Manchus consequently paid the penalty which is always paid by those who delay until it is too late. The old theories having been openly abandoned, it needed only the promise of a Parliament completely to destroy the dignity of the Son of Heaven, and to leave the viceroys as mere hostages in the hands of rebels. A few short weeks of rebellion was sufficient in 1911 to cause the provinces to revert to their condition of the earlier centuries when they had been vast unfettered agricultural communities. And once they had tasted the joys of this new independence, it was impossible to conceive of their becoming "obedient" again. . . .

**Effects of the Taiping Rebellion**

As we are now able to see very clearly, fifty years ago—that is at the time of the Taiping Rebellion—the old power and spell of the National Capital as a military centre had really vanished. . . . The Government, after the collapse of the Rebellion, being greatly impoverished, had openly fallen to balancing province against province and personality against personality, hoping that by some means it would be able to regain its prestige and a portion of its former wealth. Taking down the ledgers containing the lists of provincial contributions, the mandarins of Peking completely revised every schedule, redistributed every weight, and saw to it that the matricular levies should fall in such a way as to be crushing. The new

taxation, *likin*, which, like the income-tax in England, is in origin purely a war-tax, by gripping inter-provincial commerce by the throat and rudely controlling it by the barrier-system, was suddenly disclosed as a new and excellent way of making felt the menaced sovereignty of the Manchus ; and though the system was plainly a two-edged weapon, the first edge to cut was the Imperial edge; that is largely why for several decades after the Taipings China was relatively quiet.

Time was also giving birth to another important development—important in the sense that it was to prove finally decisive. It would have been impossible for Peking, unless men of outstanding genius had been living, to have foreseen that not only had the real basis of government now become entirely economic control, but that the very moment that control faltered the central government of China would openly and absolutely cease to be any government at all. Modern commercialism, already invading China at many points through the medium of the treaty-ports, was a force which in the long run could not be denied. Every year that passed tended to emphasize the fact that modern conditions were cutting Peking more and more adrift from the real centres of power—the economic centres which, with the single exception of Tientsin, lie from 800 to 1,600 miles away. It was these centres that were developing revolutionary ideas—*i.e.*, ideas at variance with the socio-economic principles on which the old Chinese commonwealth had been slowly built up, and which foreign dynasties such as the Mongol and the Manchu had never touched. The Government of the post-Taiping period still imagined that by making their hands lie more heavily than ever on the people and by tightening the taxation control—not by true creative work—they could rehabilitate themselves.

The new economic centers of China

. . . Chinese society, being essentially a society organized on a credit-co-operative system, so nicely adjusted that money, either coined or fiduciary, was not wanted save for the petty daily purchases of the people, any system which boldly clutched at the financial establishments undertaking the movement of *sycee* (silver) from province to province for the settlement of trade-balances, was bound to be effective so long as those financial establishments remained unshaken.

The best known establishments, united in the great group known as the Shansi Bankers, being the government bankers, undertook not only all the remittances of surpluses to Peking, but controlled by an intricate passbook system the perquisites of almost every office-holder in the empire. . . . A very intimate and far-reaching connection thus existed between provincial money-interests and the official classes. The

practical work of governing China was the balancing of tax-books and native bankers' accounts. Even the "melting-houses", where *sycee* was "standardized" for provincial use, were the joint enterprises of officials and merchants; bargaining governing every transaction; and only when a violent break occurred in the machinery, owing to famine or rebellion, did any other force than money intervene.

Defects of the Manchu system

. . . The system was not in itself a bad system: its fatal quality lay in its woodenness, its lack of adaptability, and in its growing weakness in the face of foreign competition which it could never understand. Foreign competition—that was the enemy destined to achieve an overwhelming triumph and dash to ruins a hoary survival.

War with Japan sounded the first trumpet-blast which should have been heeded. In the year 1894, being faced with the necessity of finding immediately a large sum of specie for purpose of war, the native bankers proclaimed their total inability to do so, and the first great foreign loan contract was signed. Little attention was attracted to what is a turning-point in Chinese history. There cannot be the slightest doubt that in 1894 the Manchus wrote the first sentences of an abdication which was only formally pronounced in 1912: they had inaugurated the financial thraldom under which China still languishes. Within a period of forty months, in order to settle the disastrous Japanese war, foreign loans amounting to nearly fifty-five million pounds were completed. This indebtedness . . . had special political meaning and special political consequences because the loans were virtually guaranteed by the Powers. It was a long-drawn *coup d'état* of a nature that all foreigners understood because it forged external chains.

The *internal* significance was even greater than the external. The loans were secured on the most important "direct" revenues reaching Peking—the Customs receipts. . . . The hypothecation of these revenues to foreigners for periods running into decades—coupled with their administration by foreigners—was such a distinct restriction of the rights of eminent domain as to amount to a partial abrogation of sovereignty.

That this was vaguely understood by the masses is now quite certain. The Boxer movement of 1900 . . . was simply a socio-economic catastrophe exhibiting itself in an unexpected form. The dying Manchu dynasty, at last in open despair, turned the revolt, insanely enough, against the foreigners—that is against those who already held the really vital portion of their sovereignty. So far from saving itself by this act, the dynasty wrote another sentence in its death-warrant. Economically the Manchus had been for

years almost lost; the Boxer indemnities were the last straw. . . .

. . . Extraterritoriality, by creating the "treaty port" in China, had been the most powerful weapon in undermining native economics; yet at the same time it had been the agent for creating powerful new counter-balancing interests. . . . In brief, the trading Chinese were identifying themselves and their major interests with the treaty-ports; they were transferring thither their specie and their credits; making huge investments in land and properties, under the ægis of foreign flags in which they absolutely trusted. . . .

The force of this—politically—became finally evident in 1911. . . . The Chinese Revolution was an emotional rising against the Peking System, just as much as against the Manchus, who after all had adopted purely Chinese methods and who were no more foreigners than Scotchmen or Irishmen are foreigners today in England. The Revolution of 1911 derived its meaning and its value—as well as its mandate—not from what it proclaimed, but for what it stood for. Historically, 1911 was the lineal descendant of 1900, which again was the offspring of the economic collapse advertised by the great foreign loans of the Japanese war, loans made necessary because the Taipings had disclosed the complete disappearance of the only *raison d'être* of Peking sovereignty, *i.e.* the old-time military power. The story is, therefore, clear and well-connected and so logical in its results that it has about it a finality suggesting the unrolling of the inevitable.

During the Revolution the one decisive factor was shown to be almost at once—money, nothing but money. The pinch was felt at the end of the first thirty days. Provincial remittances ceased; the Boxer quotas remained unpaid; a foreign embargo was laid upon the Customs funds. The Northern troops, raised and trained by Yuan Shih-kai, when he was Viceroy of the Metropolitan province, were, it is true, proving themselves the masters of the Yangtsze and South China troops; yet that circumstance was meaningless. Those troops were fighting for what had already proved itself a lost cause—the Peking System as well as the Manchu dynasty. The fight turned more and more into a money-fight. It was foreign money which brought about the first truce and the transfer of the so-called republican government from Nanking to Peking. In the strictest sense of the words every phase of the settlement than arrived at was a settlement in terms of cash.*

* There is no doubt that the so-called Belgian loan, £1,800,000 of which was paid over in cash at the beginning of 1912, was the instrument which brought every one to terms.

In the preceding selection, the background factors of the revolutionary movement are discussed from a general philosophical point of view. In the next selection, Dr. Hornbeck presents the question from a more immediate point of view, discussing especially the financial factors in the light of world politics. To say that the Revolution of 1911 was a result of China's relations with Western countries and civilization would not be wholly correct: China had had many revolutions before she came into close relation with the West. On the other hand, it is probable that there might have been no need for a revolution in 1911 had not foreign aid been granted the Manchus in suppressing the Taiping Rebellion. Be this as it may, there can be no doubt that the trend which the Revolution followed and the form of government adopted would have been entirely different had it not been for China's relations with Occidental countries. From them came the ideas of constitutional and republican government.

**380. More immediate causes of Revolution**

First among the antecedents of the revolution stands a matter of precedent: twenty-six changes of dynasty during the four thousand years of substantial Chinese history. . . . The sages of China have taught that a ruler should hold the throne only so long as he governs well and is a true and honest "father" to his people. Developing their thesis much as Locke elaborated for us the doctrine of the "governmental compact", they emphasized the right of the people to remove the scepter from the hands of a monarch who disregarded or was unable to fulfill his essential obligations. The revolutions have come at intervals, some long, some short, but averaging less than two hundred years, as variations in economic pressure and governmental efficiency have sufficed to upset the balance of forces within the state. . . .

During the first century of its power, the Manchu Dynasty produced some of the most efficient and enlightened rulers that ever sat on the dragon throne—and the country prospered. During its last fifty years, the affairs of the central government were largely in the hands of women and palace hangers-on. The erstwhile virility of the Manchu

stock had disappeared. When the crisis came, there was a baby on the throne and there was not a single really strong man among his relatives to defend the throne and the nation against the forces of rebellion which suddenly crystallized themselves.

Occurring a good deal as a matter of course, brought on by the operation of economic and social forces, the revolution was in its more immediate aspects the result of a conflict between two antipathetic tendencies: a movement toward centralization on the part of the government; insistence upon local autonomy in certain matters of vital contemporary interest on the part of the gentry in some of the central and southern provinces. . . .

The Boxer revolt

[The Boxer revolt resulted in] . . . the saddling upon China of a burden of debt of $325,000,000 by way of indemnity, the discrediting of the Manchu administration in the eyes of the Chinese—particularly of the South, and a further increase in the pressure of foreign influence.

After eighteen months of exile the Empress Dowager returned to Peking in a chastened frame of mind and became herself the leader in an extensive but conservatively conducted program of reform. The most important result of this new development, politically, was the appointing of a Commission which was sent abroad in 1905 to study Western constitutions and methods of government. This Commission reported in 1906, and as a consequence of its report the Empress Dowager promised in September of that year that the country should have a constitution and that thorough reforms in law and in administration would be instituted. A reorganization of the metropolitan boards was at once ordered and the establishing of a National Assembly was promised.

In 1907 Provincial Assemblies were proposed. In 1908 a Program of Constitutional Reform contemplating nine years was issued. In November, 1908, the great Empress Dowager and the hapless Emperor Kwang Hsü died, and the throne passed to a baby nephew of the latter, with his father as Regent. In 1909 the Provincial Assemblies met, and from the moment of their first meeting the troubles of the government increased many fold.

The National Assembly met for the first time in the fall of 1910. In spite of the fact that the representation had been so arranged, as the government thought, that the Assembly would be amenable to the control of the administration, this body showed itself from the very first a thoroughly unruly member. The Assembly was given only deliberative power. It assumed for itself substantial legislative authority. Among other things, in addition to formulating a budget it demanded that the policies of the government

be submitted to it. It called vociferously for the immediate establishment of a cabinet. This the government succeeded in deferring until after the Assembly had adjourned, when it proceeded in its own way to establish such a body. At the head of the Cabinet which the Regent then established was Prince Ching, an aged, conservative, and corrupt official in whom the people had no confidence. Of the thirteen cabinet members, nine were Manchus—five of these being princes of the royal family—and four were Chinese. Here the Prince Regent made one of his greatest mistakes. The people of China knew that they were getting nothing but the form of a cabinet; they knew that the men appointed as heads of several of the most important departments were absolutely incompetent. Especially unsatisfactory were the Ministers of the Army and of the Navy, two younger brothers of the Regent. The Cabinet was to be responsible to the throne only.

The first Cabinet in China

The opposition to the government became defined and the antagonism between the forces of centralization and decentralization found an issue in a question of railway construction and loans, an issue wherein were involved states' rights and local autonomy sentiments on the one hand and a policy of national control on the other. . . .

Financial aspects of the pre-revolutionary situation

In 1895 the largest British and German banking interests in the Far East made an agreement for the mutual sharing of all Chinese business which might be obtained by either. This financial alliance was reaffirmed in 1900 at the time of the negotiation of the Boxer indemnity loan. In the interval, in 1898, a group of American promoters secured a contract for completing the construction of railway lines from Canton to Hankow. . . . The upshot of the matter was that the concession was sold back to China.

In 1905, various British interests . . . made an agreement with French companies for the mutual sharing of business in China, with a view to securing a monopoly in the Yangtse Valley. Three years later the Chinese, then planning to complete the Canton-Hankow line and to build another line from Hankow to Chengtu, applied to the Anglo-French combination for a loan. The German bank insisted upon participation in the loan, and its claim was admitted.

At this point American interests indicated a desire to participate in this enterprise. A financial group, organized, at the instance of President Taft and the State Department, by certain New York banks, asked to be allotted a share in the loan. The European groups refused this request, and then the United States government intervened. The right of American capital to participate arose out of the promise which China had made in 1903. President

Taft cabled personally to Prince Ching insisting upon the recognition of this right in favor of the new American banking group, and the Chinese government, after consultation with the Foreign Office, concluded that American capital must be admitted on equal terms with those accorded the three European groups. Thus was formed the four powers loan group, including British, French, German, and American interests. This group negotiated two loans with the Chinese government in 1911, one for the Hukwang railways, the other for currency reform. . . .

The contracts for both loans were signed in the spring of 1911. By this time, however, a decided opposition to the railway loan had developed in some of the provinces in which the railway was to be constructed. A prominent Chinese financier and official, Sheng Hsuan-huai, better known as Sheng Kung-pao, had been appointed director of the Bureau of Communications at Peking. Sheng favored Imperial control of railways, thus throwing his influence to the side of the Manchu policy of centralization. Already, in 1907, one of the Yangtse Provinces had successfully resisted an attempt of the central government to borrow foreign capital for, and to apply it to, the construction of a railway within provincial borders. The provinces through which the Hukwang railways were to be built now followed this example and, strenuously opposing Sheng's policy, voiced their objections to the Hukwang loan. The local gentry insisted that they would build the railways within their provinces by and for themselves. Thus the conclusion of the Hukwang loan prepared the way for revolution.

Evidences of the coming storm first showed themselves in a revolt in the empire-province of Szechuan. Although this had the appearance of a merely local disturbance, which the government undertook to deal with by sending first a Manchu and then a Chinese official "to pacify the people" the whole of the South was excited over the issue out of which the revolt arose—the conflict between provincial and Imperial authority. . . .

The first incidents in the breaking out of the Revolution in Hankow on October 9–11, 1911, are narrated and discussed by Sir John Jordan, the British Minister in Peking, in a report to his home government.

*Peking, October* 16, 1911.

381. The British Minister's account of the outbreak of the Revolution

SIR,

My telegrams of the last few days will have made you acquainted with the serious developments which have arisen

at Wuchang and the measures which have been taken by the Government to deal with the gravest crisis which has confronted them in recent years.

The prospect of trouble at Hankow had been foreseen for some time past. It was known that the 8th division of the army which was stationed there was in a very unsatisfactory state of discipline, and that considerable disaffection existed in its ranks. Two regiments, comprising some 2,000 men, had been sent to Szechuan, and there had been frequent desertions and acts of insubordination amongst the remainder. On the 30th September the acting British consul-general telegraphed, on the authority of the American mission at Wuchang, a report of an impending mutiny amongst the troops, but no confirmation of the rumour was apparently obtainable. Nevertheless on the 3rd October, Mr. Goffe addressed a dispatch to the senior naval officer at Shanghai stating the reasons which, in his opinion, rendered it desirable that Hankow should be provided with naval assistance for some time to come, and his representations were, I understand, favourably entertained by the commander-in-chief.

As I learn from Mr. Goffe, revolutionaries were discovered at work in the Russian concession at Hankow on the afternoon of the 9th instant, and three or four men were executed in front of the Viceroy's yamên on the following morning. This was followed on the 11th by the news that Wuchang was in full revolution; that the yamêns had been burnt; and that the Viceroy, who had taken refuge on a Chinese cruiser which was anchored close to a British gun-boat, had notified the consuls that he was unable to protect foreigners, and had asked the assistance of His Majesty's ships in preventing the mutinous troops from crossing the river.

On the receipt of this news I at once asked the naval commander-in-chief to send all available assistance to Hankow, and his Excellency readily responded to the request.

The receipt of these alarming reports caused much consternation in Peking, where a series of decrees . . . were issued reflecting the feelings of the court at the successive phases of the movement. Jui Ch'êng, the Viceroy at Wuchang, and the ablest Manchu holding office in the provinces, was at first complimented on his promptitude and success in "nipping the revolution in the bud," only to find himself a day later severely censured and degraded for his remissness and gross neglect of duty.

Two divisions of the northern army were ordered to Hupei under the command of Yin Ch'ang, the Minister of War, who gained his military experience in Germany and Austria.

Admiral Sah, who served in the British navy, was at the same time directed to co-operate with all the naval forces at his disposal in the recapture of the revolted city. It soon became evident that the task before the Imperialists was one of increasing difficulty, as the revolution spread to the adjoining cities of Hanyang and Hankow, and the capture of the arsenal and the ironworks placed the rebels in possession of a large supply of war material. The orderly manner in which the movement is being conducted and the marked consideration shown for foreign interests distinguish it from all previous risings of this kind, and has enlisted for it a measure of sympathy amongst the Chinese which the Manchu dynasty can no longer claim to command.

LI YUAN-HUNG

The rebel generalissimo, Li Yuan-Hung, is reported to be a man of considerable intelligence, who speaks English and has had some experience abroad. He has notified the consuls in Hankow that he has constituted a Government which will respect existing treaties and engagements with foreign Powers, and will guarantee efficient protection to all foreigners so long as they refrain from rendering assistance to the Manchu Government.

Yuan Shih-K'ai, who was unceremoniously dismissed from office two years ago and who had practically to flee for his life, was recalled to power, and requested in so many words to save the Empire. . . . His name will carry great weight with the troops, especially with the 6th division, which still treasures his portrait, and his loyalty is not in question, but the Government is badly equipped for military operations of any magnitude. It is believed that there is a shortage of ammunition for the troops, and desperate efforts have been made during the last few days to raise funds for the campaign.

As a significant commentary on the value of China's modern army it may be mentioned that the foreign-drilled troops at Nanking have all been disarmed, and their place taken by 8,000 troops of the old régime.

The general opinion is that the present revolt will be suppressed, but the prospect which faces the Manchu dynasty is a gloomy one. It is largely discredited amongst

its own people, and its recent treatment of several questions affecting foreigners shows a narrowness of view and a jealousy of encroachment upon its so-called sovereign rights which blocks all enterprise.

Fully half the Empire is threatened with a partial failure of the crops, and the Yang-tsze valley is overrun with swarms of homeless and starving people.

I have, &c.

J. N. JORDAN.

A few months after the departure of Sir Robert Hart from Peking in 1908, Mr. Francis Aglen was appointed Officiating Inspector General of the Imperial Maritime Customs Service. He served in this capacity from April, 1909, to October 1, 1911, when his appointment to the position became definitive. He assumed office as the Manchu dynasty was tottering; the attitude of caution taken by Sir Robert Hart in handling the customs revenues was consequently changed by changing conditions. The memorandum quoted below was written by the new Inspector General and illustrates the position of the customs during the period of revolution. The memorandum is printed by Mr. Morse in the third and last volume of his *International Relations of the Chinese Empire.*

**382. The Chinese Revolution of 1911 and the Maritime Customs Service**

Mr. F. A. Aglen* was appointed Inspector General in October, 1911, and, within a few days after his appointment, was confronted by new conditions created by the revolution, which compelled him to abandon this attitude of caution and to adopt an entirely new procedure. I am permitted to reproduce a memorandum which he has written on the procedure then adopted.

*Mr. Aglen had been Officiating Inspector General from April 1909, and received the definitive appointment from Oct. 1st, 1911.

"MEMORANDUM

"The political upheaval of 1911 brought in its train for the customs service new duties and increased responsibilities. At the ports these took the form of having to receive and account for the revenue collection in cash. At the Inspectorate the duty of auditing the port collections and of accounting for them to the Chinese government devolved upon the Inspector General with its corollary the creation of a Loan and Indemnity service to provide for payment of all China's foreign loan obligations secured on the maritime customs revenue, as well as of all payments on account of the 1901 Boxer indemnity secured as a first charge on the native customs revenues and the unmortgaged balance of maritime customs revenue. Previous to the Revolution the commissioners of customs had merely accounted for the revenue they were instrumental in collecting, but had not handled the actual cash which was paid into Customs receiving Banks against receipts. Production of these receipts at the Custom House was necessary to procure release of cargo and they constituted in the commissioner's hands the vouchers for his collection. The Customs Banks were under the control, not of the com missioner, but of his colleague, the Superintendent who in many cases was a territorial official owing his appointment directly to the Throne. It was the Superintendent, who in the first instance was responsible for the disposal of the maritime customs collection at the ports to the higher provincial authorities and these in turn accounted for it to the ministry of Revenue. Only a portion of the revenue was actually remitted to Peking, and, so far as is known, none of it was specifically allocated as such for payment of the obligations secured on it. China's foreign loan service was concentrated at Shanghai in the hands of the Shanghai Taotai to whom were remitted funds from the provincial treasuries—each province being responsible for a fixed annual quota. The central government having once fixed the amounts to be contributed would appear to have exercised very little control over the loan service, and a good deal of elasticity seems to have prevailed both as regards the sources from which the funds were derived and the dates of remittance, at any rate to the time of the Boxer outbreak. But even during that period of disturbance loan payments were regularly met by the Shanghai Taotai as they fell due. The 1901 Boxer indemnity enormously increased the burden of debt carried by the provincial exchequers, and it is probable that the combined Loan and Indemnity service for which the Taotai was thenceforth respsonbile necessitated more method and greater regularity in the provincial remittances.

There is some obscurity as to the actual procedure followed, but the results were satisfactory, and no creditor had to complain of any want of punctuality in meeting the payments due. Needless to say the foreign receiving banks on their part were satisfied with matters as they were, and raised no question concerning the disposal by the government of the revenues pledged. When however provinces began to throw off allegiance to the central government it was at once apparent that the system by which the foreign debt had been served would break down, and the need for conserving every cent of the revenue, pledged as security for foreign loans and indemnity, by removing it from the control of the provincial authorities became a pressing one.

**Attitude of the Revolutionists toward the customs service**

"The startling suddenness with which the anti-dynastic movement began in October, 1911, and its rapid spread allowed of no prearranged plan of action, even if the necessity for such an emergency could have been conceived. Each commissioner of Customs, as the imperial authorities at the ports either were ousted, fled, or went over to the revolutionary party, instinctively assumed control of the Customs Bank and the revenue collection in the name of the Inspector General. For the sums collected up to the date of such assumption of control no responsibility was taken. Very little difficulty was experienced in establishing control, and it speaks well for the patriotic feelings of the revolutionary leaders and their sense of national obligation that scarcely any attempt was made to interfere with the customs collections at a time when command of ready money for fighting purposes was of vital importance. At most places a word of explanation sufficed: at a few ports an assurance was demanded from the Inspector General that customs revenue would not be placed at the disposal of the imperial government, and one independent governor was only satisfied when the Inspector General agreed to prefix the word "neutral" to the title of his local revenue account. In few countries would a matter of this kind have been approached in such a spirit of common sense and sweet reasonableness, for it must be remembered that the Inspector General was the official subordinate of the imperial government and at the northern ports where that government still retained control, the very considerable revenue that he and his commissioners were instrumental in collecting continued to flow unchecked into the imperial coffers. The falsity of the position in which the Inspector General was thus placed soon of course became intolerable, and, as the legations were becoming anxious about the service of the foreign debt which had completely broken down, and were on the point of making demands

Change made by Mr. Aglen

the Inspector General suggested to the imperial government that the customs revenues of the northern ports, which had not seceded, should be placed under his control on precisely the same footing as the revenues at those ports where control had already been assumed. The suggestion was immediately complied with—a proof that the imperial authorities were in no way behind the revolutionary leaders in their desire to do what was right and proper for the maintenance of national credit. The legations moved in due course and were told in reply to their representations that measures had already been taken to secure for the foreign loan and indemnity service all revenues pledged. International arrangements were then made placing the Loan and Indemnity service in the Inspector General's hands;* and it is to be noted that these arrangements were made with, and sanctioned by, the imperial government before its fall, and that they had been scrupulously respected by the republican governments which succeeded it. Some unavoidable delay occurred at the outset in meeting loan payments that had been deferred pending the conclusion of the above arrangements, but all payments were eventually and easily met from the funds that had in the meantime accumulated. The indemnity arrears offered more difficulty and special measures had to be taken to pay them off: but once this had been effected, the combined Loan and Indemnity service worked smoothly and automatically. With assistance from the Salt revenues pledged as second security for the indemnity, there have always been ample funds to meet all requirements. The Loan and Indemnity service is conducted at Shanghai by the commissioner of customs under instructions from the Inspector General. Periodical accounts are rendered by the latter to the Chinese government and to the commission of bankers representing the interests of the foreign creditors. The sensible compromise of which these arrangements are the expression—leaving in China's hands the management of her debt with absolute security for her foreign creditors, is eminently characteristic of the country; but without an organisation of the peculiar nature of the customs service it would have been impossible. Indeed it is by no means an overstatement to maintain that the service in 1912 stood between its employers and the establishment of a 'Caisse de la Dette.'"

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* Cf. China, No. 1, 1912, No. 121; China, No. 3, 1912, Nos. 1, 59, 81, 92, 113; China, No. 3, 1913, Nos. 24, 25, 31, 37, 40, 63, 73.

### *Section 68. Documents of the Revolution*

Two imperial decrees were issued on October 14, restoring Yuan Shih-kai to power; the first appointed him viceroy of Hukwang with orders to "direct the suppression and pacification of the rebels," and to lose no time in assuming the duties of office. The second decree ordered that the military forces of the Hukwang provinces be placed under Yuan's control at once and that he coöperate with Yin Ch'ang and Sah Chen-ping in military and naval affairs "with a view to the restoration of peace at an early date."

Yuan's reply was contained in a memorial to the throne, which was published in the Peking *Gazette* of Saturday, October 21, 1911. In order to understand Yuan's reference to the "old trouble" with his foot, mention must be made of his dismissal from office by an imperial decree of January 2,1909, in which it was alleged that he was unable to carry on the duties of his office, and that he should resign and retire to his home in the province of Honan; only fifteen days before this he had been raised to the position of a Senior Guardian of the Heir Apparent. His sudden fall from power is to be explained by two events previously referred to: at the time that the Empress Dowager had consulted the Grand Council in reference to the appointment of an heir to the throne, Yuan Shih-kai had resolutely pressed the superior claim of Prince P'u Lun over that of the son of Prince Chun to the throne—an act which could scarcely endear him to the Regent after the death of Tz'ŭ Hsi. Moreover, we have seen that Kuang Hsü held Yuan responsible for the failure of the reform movement of 1898 and his own subsequent imprisonment. Kuang Hsü and the Regent Prince Chun were brothers. These two facts will explain the hatred of the former for the latter. Upon pressing

invitation Yua nreturned to power, official announcement of his acceptance being made on October 22. In accepting office he stated that his reason for returning was his "gratitude for the many many marks of favour bestowed on him by the late Grand Dowager Tse Hsi."* The major portion oi his reply to the first invitation is as follows:

383. Yuan Shih-kai's memorial to the throne, October, 1911

I am much ashamed at being the recipient of the Imperial commands, and, in view of the favour shown for generations, I feel remorse that I have done nothing to requite it. After the accession of your Imperial Majesty to the Throne, I again received very great favours, in which affection and honours were equally predominant. In the interval I have not been serving the Throne, owing to my being away at my native place on account of the state of my health. On receipt of the Imperial commands I was filled with the deepest gratitude. At this time of crisis in the Empire I ought to comply with the Imperial decree and proceed immediately to deal with the situation. But my old trouble with my foot is not yet thoroughly set right, and last winter my left arm became affected, and frequently caused me great pain. A habitual complaint of some years can hardly be expected to be cured immediately. Although my breathing and my body showed weakness yet my energy remained unimpaired. Recently, however, it suddenly becoming cold in the beginning of autumn, asthma and fever, which I used to suffer from, again attacked me. In addition to this I suffer from giddiness and nervousness, and when reflecting on a matter my mind wanders. Although these symptoms cannot be cured in a day they are merely external complaints, which are much easier to cure than my old illness. At this time of crisis in military affairs I do not venture to make a hasty application for leave. But my loss of energy makes it really difficult for me to struggle along. I have called in a doctor to effect a cure as quickly as possible, and at the same time I am making all necessary arrangements. As soon as I am somewhat able to struggle along I will at once proceed on the way, thus taking the opportunity to requite in an infinitesimal degree the great kindness shown to me. This memorial containing my gratitude for the Imperial favour and reporting in detail the bad state of my health is hereby presented for the Imperial glance and commands.

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* Cf. *China Mission Year Book, 1912* (Shanghai, 1912), p. 66.

This memorial has been sealed with the seal of the Prefect of Chang Te-fu.

On the 18th October a rescript in the vermilion pencil was received:—

"The above has been noted. Matters at Wuchang and Hankow are very critical, and the said Viceroy in the past has always been a just and loyal officer, and zealous in performing service. Let him immediately cure himself, and in spite of his illness let him proceed, thus requiting the extraordinary confidence placed in him by the Throne."

On October 30, the court issued a penitential edict taking upon itself the blame for the evil conditions which had caused the outbreak of revolution. The reason for the abasement of the court in this manner was twofold: the Second National Assembly, which had been opened in Peking on October 22, had on the twenty-seventh passed resolutions "demanding that relatives of the Imperial House should be excluded from membership of the Cabinet, that Chinese should be treated equally with Manchus, that a responsible Cabinet be formed, and that political parties should be allowed to exist and carry out their propaganda."* In the second place the troops at Luanchow had recently mutinied and to pacify them their generals had promised to memorialize the throne and to request, among other things, that China be granted a constitution modeled after that of Great Britain. These demands explain the edict of humiliation issued at this time.

**384.† An imperial apology. Imperial edict of October 30, 1911**

It is three years since We succeeded to the Throne, and We have sincerely endeavoured to meet the wishes of the People, but there have been mistakes in the employment of officials, there has been faulty administration, and many members of the Imperial Clan have been admitted to places

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*W. S. Ridge, *China Mission Year Book, 1912*, p. 69.

† Numbers 384–388, and 390–403 are from the *China Mission Year Book, 1912*, and are revisions of those published in the *Shanghai Mercury* [Ed. note].

in the Government, contrary to the constitution. Mismanagement in regard to railway affairs has caused public criticism, and in effecting reforms officials and gentry have sought their private profit. In abolishing old systems those in office have tried to advantage themselves by seizing the property of the People, giving no benefit in return. In the dispensing of justice there has been no respect for the laws, and many grievances have been suffered. We had not imagined that things were so serious. Now have come the troubles in Szechwan, and the disturbances in Hupeh, whilst We also hear bad news from Shensi and Hunan, and trouble has arisen in Kwangtung and Kiangsi. We see much excitement amongst the People and Our ancestral temples are perturbed, so that Our good People suffer.

The abasement of the Manchus

All these things are due to Our own fault. Therefore we promulgate this edict to the public and We swear to the People that We will recommence reforms and effect a proper constitutional government system, and with respect to legal procedure and other state affairs shortcomings will be removed and improvements effected in accordance with the popular wish. Any system or law contravening the constitution We will abolish. We will carry out the abolition of distinction between Manchu and Chinese in accordance with the frequent Edicts of the late Emperor. As to the troubles in Hupeh and Hunan, they are due to military mismanagement, Jui Cheng and others having abused their powers and enraged the army, which had legitimate cause of complaint. In this matter We accuse Ourselves of having made the blunder of employing Jui Cheng in an important post and if any of the military return to their allegiance there shall be no accusation brought against them, and no enquiry into the past.

We now stand before Our People (confessing that) We have accomplished no good, but have caused disaster and have humbled the greatness of Our Ancestors by Our maladministration; and it is now of no use to regret. We have no alternative but to rely upon Our People and Our soldiery that they may help Us to secure the welfare and happiness of Our People, to strengthen Our Imperial Dynasty in an unbroken perpetual line, and to establish constitutional government. Even in this crisis We seek to regain Our strength by turning the crisis to the benefit of China, for which we appeal to the loyal and sincere feeling of Our People, upon which everlastingly we depend. At this time there are many important questions regarding foreign affairs and finance to be considered, and Our People should be united in one mind concerning them, whilst We do Our best; but Our People, not knowing the whole situation, are frequently incited by

Plea for the people's sympathy

evil-disposed persons to cause serious troubles. Therefore are We deeply anxious about the future of China and day and night We ponder the welfare of Our People. We hereby issue this edict that Our People may know Our Position.

In response to the demands of the National Assembly in reference to a constitution, the court issued three other edicts on October 30 dealing with the questions of the constitution, a responsible cabinet, and an amnesty to political offenders.

385. A constitution. Imperial edict of October 30, 1911

The National Assembly has sent in a memorial asking for an Imperial Edict to be issued granting the said Assembly the right to discuss the constitution. For three hundred years Our Imperial Dynasty has ruled the Empire; but the late Empress Grand Dowager and the late Emperor, seeing the critical condition of the Empire, decided to effect reforms in the methods of government, and several times issued Imperial Edicts announcing the decision to effect a Constitutional Monarchy in China, and issued also a programme of preparatory measures for the establishment of constitutional government. This programme has been carried out year by year. Whilst We were still young We ascended the Throne and have sincerely desired to abide by the programme laid down by the late Emperor. When, in the tenth moon of last year, the National Assembly sent in a memorial asking for the opening of Parliament at an earlier date than that already determined, We consented to open a National Parliament in the fifth year of Our reign, and also appointed Prince Pu Lun and others to draft a Constitution. The National Assembly now sends in a memorial to the effect that as the Constitution is an agreement between Sovereign and People it is better to consult the People first about the provisions of the Constitution, which should afterwards receive Imperial sanction. This plan does not violate the idea of the late Emperor, so We hereby order Prince Pu Lun and his colleagues to draft a Constitution in accordance with the outlines decided upon by the late Emperor, and then to hand it to the National Assembly for detailed discussion; and when the final draft has been made it shall be promulgated with Our sanction, thereby demonstrating that We are quite sincere and frank in Our dealings with the People in all state affairs.

386. A responsible cabinet. Imperial edict issued October 30, 1911

The National Assembly has sent in a memorial to the effect that the Cabinet should be responsible for the admin-

istration and that high state offices should not be given to Imperial princes. It is not in accordance with the general principles of constitutional government adopted by various nations that Imperial princes should hold administrative office; and in Our own system they are not permitted to meddle in political affairs, as may be seen from the explicit statements of Our Ancestors, the principle being really that of constitutional government. However, from the time of Tung-Chi, in order to cope with difficult problems of state, certain princes have been appointed to help the high officers of state. In appointing a Cabinet with princes and dukes as ministers of state We were only adopting a temporary measure. The memorial of the Assembly states that a Cabinet of Imperial princes is not in conformity with the idea of constitutional government and the temporary regulations should be suspended, and a really responsible Cabinet should be established, containing no Imperial princes or dukes. The memorial shews respect for the Imperial House and a desire to lay the foundations of the state firmly in a strong position, and these things We much appreciate. It is important to have the right persons to organize a proper Cabinet, and as soon as We have secured a suitable man of ability to organize such a Cabinet We will no more appoint members of the Imperial House as ministers of state, and will abolish the temporary regulations for the Cabinet so as to conform to the principle of constitutional government and establish the state on a proper basis as soon as the present troubles are settled.

**387. An amnesty. Imperial edict issued October 30, 1911**

The National Assembly has sent in a Memorial asking Us to grant an amnesty to political offenders, thus shewing the clemency of the Throne and securing the unity of the people of the Empire. To suppress the expression of political views prevents the development of men of ability and of the national energy; and moreover, views that are not appropriate at the time at which they are expressed may prove fruitful later. Many people have gone abroad after committing political offences, and there they have freedom of speech and writing, and some of them go beyond due limits, owing to their zeal for political principles. Therefore We hereby decree clearly that all political offenders since 1898, whether purely political offenders or revolutionists, who have taken refuge outside the Empire, and all connected with the present troubles who will come forward and be loyal to Us, are hereby granted pardon of their crimes; and in future, subjects of the Ta Ching Empire, if they do not go beyond legal limits, shall enjoy the protection of the state, shall not be arrested except by due process of law, and shall not be

Pardon for political offenders

detained arbitrarily on mere suspicion. Those who avail themselves of this amnesty are required to be loyal and patriotic in upholding Our constitutional government. This We decree to shew Our intention to effect proper reforms in the Empire.

The resolutions passed on October 27 by the National Assembly were submitted formally to the throne in a memorial on November 3. Some of them had, as we have seen, been acted upon by the Regent and his advisers before the memorial itself had been received.

**388. Demands of the National Assembly**

1. The Ta Ching Dynasty shall be maintained in perpetuity.

2. The person of the Emperor shall be inviolable.

3. The prerogative of the Emperor shall be limited by the Constitution.

4. The succession to the Throne shall be prescribed in the Constitution.

5. The Constitution shall be drafted and determined by the National Assembly and promulgated by the Emperor.

6. All amendment of the Constitution lies within the province and power of Parliament.

7. Members of the Upper House of Parliament are to be elected by the people from specially qualified classes.

8. Parliament will elect but the Emperor shall appoint the Prime Minister, on whose recommendation the other members of the Cabinet shall be appointed by the Emperor; but Imperial princes shall be ineligible for any ministerial office or for the governorship of a province.

9. The Prime Minister may be impeached, whereupon either he shall ask for a dissolution of Parliament or shall resign.

10. The Emperor shall be in supreme control of the army and the navy, but when this control is exercised in respect of domestic matters it shall be subject to such limitations as may be imposed by Parliament.

11. Imperial edicts shall not have the force of law except in emergencies, and even then under special provisions and only for the carrying out of what has already been determined by law.

12. No treaty which a foreign power shall be concluded without the authority of Parliament, but the conclusion of a peace or the declaration of a war may be made during

the session of Parliament without the consent of Parliament being obtained until afterwards.

13. Standing orders of an administrative character shall be settled by acts of Parliament.

14. If the budget should fail to be accepted by Parliament the Government shall act upon the preceding year's budget, but no further expenditure shall be added thereto and no special financial measures shall be adopted.

15. The determination of the revenues and expenditures of the Imperial Household shall be within the power of Parliament.

16. The Imperial Household Laws shall not violate the Constitution.

17. The two Houses of Parliament shall jointly establish administrative Courts.

18. The Emperor shall promulgate all the laws enacted by Parliament.

19. The National Assembly shall exercise all the authority vested in Parliament by articles 8, 9, 10, 12, 13, 14 and 18, until Parliament is duly elected and opened.

The attitude of the foreign powers toward the Revolutionists was of considerable importance to the latter. Any moral, diplomatic, or material support given by the powers to one side or the other might well affect the outcome of the struggle. The Minister of Foreign Affairs to the Provisional Government, Dr. Wu Ting-fang, an experienced diplomat who for several years had represented China at Washington, drew up a manifesto or address to the foreign world in which the aims of the Revolutionists and of the provisional government were formally stated. This was published on November 17, 1911.

389. The Revolutionists' manifesto to the foreign world, November 17, 1911

"To Our Foreign Friends

"Prompted by many inquiries by leading articles in the Press and by the letters which have appeared in the *North China Daily News* and other papers, we feel it incumbent upon us to express the deep sense of our appreciation of the evident world-wide interest and sympathy taken in the

revolutionary movement and briefly to set forth the position of the Revolution party to-day.

Blame heaped on the Manchu dynasty

"It is unnecessary to indulge in lengthy explanations of the reasons leading to the present Revolution. They are notorious. The Manchu Government has in the course of its dominance of China demonstrated its incapacity to rule its people or conduct the affairs of the nation in a manner compatible with the forward movement signalising the modern history and development of the civilized world. The Manchu Dynasty has, by its benighted conceptions and barbaric leaning, brought China to a position of degradation. The nation is scorned, and its institutions and general retrogressive policy are the objects of contempt.

"For decades the enlightened among the Chinese endeavored by peaceful means to promote and establish ambition among the people for an elevated line of progressive conduct. They have failed.

"The foreign powers individually and collectively have stood hammering at the door of China for centuries pleading for the diffusion of knowledge, a reformation of national services, the adoption of Western sciences and industrial processes, a jettisoning of the crude, out-of-date and ignoble concepts which have multiplied to keep the nation without the pale of the great family constituting the civilized world. They have failed.

"The Manchu Dynasty has triumphantly carried on its reactionary policy despite the strongest pressure exerted from within and without until the oppressed people could endure the disgrace and the contumely of it no longer. They rose, and with what result the history of the past few weeks has shown.

"The Manchu Dynasty has been tried by a patient and peaceful people for centuries, and has been found more than wanting. It has sacrificed the reverence, forfeited the regard, and lost the confidence freely reposed in it by all Chinese.

"Its promises in the past have proved delusions and snares. Its promises for the future can carry no weight, deserve no consideration, and permit no trust.

"The popular wish is that the dynasty must go.

"The leaders of thought in the revolutionary movement abhor bloodshed.

What the Revolutionists have done

"We have, it is safe to say, evinced a toleration unexpected by our foreign friends.

"We have controlled the forces for evil in a manner which should characterize this revolution as the least sanguinary in the history of the world, when the sins of the country and nature of the masses are taken into consideration.

"We have memorialised the Prince Regent to secure the abdication of the Manchus upon the guarantee of full protection for the life and property not only of the Imperial family, but of all Manchus.

"We have issued a manifesto to every province urging upon a common ground.

"We have exhorted the whole of the people to sink racial prejudices, to combine for the betterment and advancement of the nation, and to respect and protect, not only their own, but foreign interests to the utmost extent in our power.

"We have striven for order and have created no chaos in those provinces, cities, and towns that have of their own volition come under our banners.

"We have retained officers of the old régime where such have desired to remain, and have subscribed to the new regulations for conduct of provincial affairs. The Viceroy of Yunnan, the Governor of Soochow, the Governor of Anking are instances in point.

"We have issued telegraphic appeals to the fourteen provinces that have declared for independence from Manchu dominance to send delegates to Shanghai to form a National Assembly.

"We have, in short, taken every possible step to protect vested interests, safeguard international obligations, secure continuance of commerce, and shield education and religious institutions; and what is even more important, striven continually to maintain law and order, sustain peace, and promote a constructive policy upon sound and enduring grounds.

"The mind of the people is made up for a change. The shameless destruction of life and property that has signalised the latter days of the Manchus' attempt to resist the termination of their reign is but their characteristic valedictory message to the world.

"To the Manchus is the blame for a continuance of hostilities and the perpetration of outrages. They have received from a majority of the provinces an unmistakable pronunciamento of the popular wish; they know that their race is run and that the China of to-morrow can never be as China of Yesterday.

"The revolutionary leaders appealed to them to abdicate in order to put a period to the useless fighting in the field, to prevent wanton bloodshed, to restore the peace of mind of the whole of the populace and to tranquillise trade.

"The hand of the people is now at the plough, and they must of necessity push on to the uttermost end of the furrow.

"We ask our foreign well-wishers to unite with us in our appeal to the Prince Regent to abdicate and so end the

strife that is now shaking the land. For our part, our conduct is open to the full view of the world. We are fighting for what Britain fought in the days of old; we are fighting for what America fought; we are fighting for what every nation that is now worthy of the name has fought in its days.

"We are fighting to be men in the world; we are fighting to cast off an oppressive, vicious, and tyrannous rule that has beggared and disgraced China, obstructed and defied the foreign nations, and set back the hands of the clock of the world.

"We must not be judged by the past; we are trying to bring China into her own; to elevate her to the standard that the people of the Occident have ever been urging her to attain, and the stumbling block of to-day as it has been during the past centuries, is the Manchu Dynasty.

Appeal to foreign friends

"Our foreign friends must from a sheer sense of fairness concede that we have the right to win the laurels of freedom by fair fight in the field, and to avoid the rest we again appeal to them to use their influence to secure in the Manchu mind recognition of the utter hopelessness of the continuance of the dynasty.

"That is all that China requires. The Manchus may remain in full enjoyment of citizenship, will be entitled to the fullest equality and freedom, and are urged to rest in possession of their lands and property for the future good of the State."

On November 7, Yuan Shih-kai was formally appointed Premier by the National Assembly in Peking, the resignation of Prince Ch'ing having been accepted on November 1. On the thirteenth Yuan entered the capital. On the eleventh, Dr. Wu Ting-fang had demanded from Prince Chun, the Regent, the abdication of the boy-emperor Hsüan Tung. Hoping that Yuan might avoid this, the Regent appointed him to supreme civil and military command in the north. Two days later, a new Cabinet, on which there were but three Manchus, was appointed. On the twenty-sixth, the Regent, representing the emperor, took a solemn oath to uphold the new constitution of nineteen articles drafted by the National Assembly.

Fighting between the Imperialist and Revolutionary forces practically ceased by the end of November. On December 6, the Empress Dowager issued a decree announcing the abdication from the Regency of Prince Chun. On the seventeenth of December, T'ang Shao-yi and his associates, representing Yuan Shih-kai and the Imperialists, reached Shanghai to negotiate with Dr. Wu Ting-fang and his associates, who represented the Revolutionists. Three days later, six of the foreign consuls in Shanghai unofficially let it be known that it was hoped peace might be agreed upon and that further fighting might be unnecessary. Dr. Wu was firm in his contention that the monarchy must give place to a republican form of government. A compromise was agreed upon whereby the decision as to the form of government should be left to a national convention representing the people. The throne agreed to this proposal by issuing the following edict on December 28.

**390. Edict of the Empress Dowager,* December 28, 1911**

The Cabinet has presented Us a memorial from T'ang Shao-yi communicated by telegraph. According to that memorial the representative of the People's Army (i.e. the Revolutionaries) Wu Ting-fang, steadfastly maintains that the mind of the People is in favor of the establishment of a republican form of government as its ideal. Since the trouble at Wuchang We have fulfilled the desires of the People, having accepted the Nineteen Articles of the Constitution and sworn before the spirits of Our Ancestors to rule in accordance with these Articles. There is still dispute on political matters, however, and the question now is, which of the two, a constitutional monarchy or a republic, would be the more suitable for Our country, having in mind both its domestic and its international situation. This is a matter that should not be decided by one part of the nation alone; it is not a question to be settled by Us independently. Therefore it is advisable to call a provisional National Convention and leave the issue to the Convention to decide. The

**The issue to be left to a National Convention**

*Lung Yü, the Consort of Emperor Kuang Hsü, not to be confused with Tz'ŭ Hsi [Ed. note].

Ministers of State sent in a memorial asking Us to call a conference of Princes and Dukes to consider the matter, and at this conference there was no objection to the reference to a National Convention. We therefore hereby order the Cabinet to telegraph to T'ang Shao-yi to in form the representative of the People's Army of Our Acceptance, and the Cabinet is hereby instructed forthwith to compile the regulations for the election and assembling of such National Convention on a fixed date, arranging with Wu Ting-fang that all fighting shall cease, thereby saving the People from damage and loss. Heaven created the People and placed the Sovereign to protect the People, so that one person should preserve the People and not the People merely uphold one person. The Emperor is still a child; how can We see so many suffer from the fighting and the whole country distressed (for the sake of one young person)? We desire to promote the good of the state and the welfare of the People. By means of this Convention to decide the matter We shall know the will of Heaven, for Heaven sees as the People see, and hears as the People hear. We desire that Our countrymen should adopt good measures for national weal and should act in a public-spirited manner for the sake of the state. This is Our desire.

Late in December, a few days before the publication of the edict above, Dr. Sun Yat-sen arrived in Shanghai. In preparation for his arrival an assembly of provincial delegates of republican tendencies had been convened in Nanking. On the twenty-ninth, these representatives elected Dr. Sun president of the Provisional Government of the republic of China. The newly chosen head of the republic left at once for Nanking where, on January 1, 1912, he took the oath of office in the presence of the National Assembly of the Provisional Government.

391. First provisional president's oath

To overthrow the absolute oligarchic form of the Manchu Government, to consolidate the Republic of China, and to plan and beget blessings for the People, I, Sun Wen, will faithfully obey the popular inclinations of the citizens, be loyal to the nation, and perform my duty in the interest of the public, until the downfall of the absolute oligarchic Government has been accomplished, until the disturbances within the nation have disappeared, and until our Republic has been established as a prominent nation on this earth,

duly recognized by all the nations. Then I, Sun Wen, shall relinquish the office of Provisional President. I hereby swear this before the citizens.

The First Day of the First Year of the Republic of China.

SUN YAT-SEN

On the day after taking the oath of office as provisional president, Dr. Sun issued a proclamation in which he reviewed certain of the problems with which the new republic would be faced, and discussed briefly his ideas as to how they should be handled.

392. First provisional president's proclamation. January 2, 1912

In the beginning of the formation of the Chinese Republic Wen (Sun Wen or Sun Yat-sen), though unworthy,

has been elected the provisional president and I am day and night taking great care fearing I could not meet the desires of our People. The abuses of the despotic Government of China have been going from bad to worse during the past two hundred years. When, however, once our People determined to overthrow it, it has taken only several dozen days in restoring a dozen provinces to our cause, which success is unprecedented in any history.

A speedy revolution

Without any organ to control or any body to meet with foreign Powers it is impossible to carry on our work and therefore we have to organize a Provisional Government. I am not going to do a thing by professing my own individual merit but I do not hesitate to attend to the organization of the Provisional Government to serve the People by carrying out our duties. By serving the People we can wipe out the bad habits of despotism and establish Republican government to benefit the People, to attain the aim of the Revolution, to satisfy the minds of the People commencing from to-day. Thus I proclaim my own idea frankly. I say the foundation of a state is the People. The different races such as Hans, Manchus, Mongols, Muhammadans, and Tibetans are now to be united as a nation. This is what I call the unity of our Races.

The unity of races

Since the fighting at Wuchang commenced, over a dozen provinces have proclaimed independence, and by independence has been meant to be independent from the yoke of the Manchu Ching dynasty; but to join hands with the provinces which are on the same side, and to amalgamate Mongolia and Tibet for our cause, are part of the same plan and therefore it becomes necessary to form a Government to unite them. This is what I call the unity of our Territories.

The unity of territories

Once the righteous army commenced fighting for our cause many men of arms arose in the said provinces, but the armed forces are not under one control and they are not in uniform organization though their arms are the same. They should be combined under common command and for common cause. This is what I call the unity of our Military Administration.

The unity of military administration

The area of the State is wide and the various provinces have their own ways and the Manchu Government has tried to effect centralization of power under the false name of constitutional government, but now it is to be arranged that each province be self-governed and all shall be federated under a common central Government. This is what I call the unity of our Internal Administration.

The unity of internal administration

Under the Manchu Government, in the name of enforcing constitutional Government, many taxes have been raised from poor people, but hereafter the national expenditure

will be fixed in accordance with the principles of finance with a view to maintaining the happiness of the People. This is what I call the unity of Finance. The unity of finance

These are our principal policies and we are going to carry these principles out properly. The principle of revolution is the same all the world over and revolutionary movements have failed often, yet foreigners all took notice of our real aim.

Since we first rose in October last all the friendly nations have maintained strict neutrality and the newspapers and public opinion of foreign countries are quite sympathetic with our cause, for which I have to express our deep thanks.

With the establishment of Provisional Government we will try our best to carry out the duties of a civilized nation so as to obtain the rights of a civilized state. Under the Manchu Government China has been obliged to be under humiliation and had anti-foreign feeling, but all these should be wiped out and we should aim at the principle of peace and tranquillity and to increase our friendship with friendly nations so as to place China in a respectable place in international society, to follow in the steps of the other Powers of the world. Our foreign policy is based on this point. Foreign policy

In establishing a new Government for a country there are many affairs to deal with, either international or internal, and how could I be able to carry on these important complicated affairs? Yet this is a Provisional Government. This is a government in a time of revolution. In the past decades all those who have been engaged in the revolutionary movements have been doing their work with a spirit honest and pure, and we have fought many difficult obstacles; and the further we proceed the more difficulties will lie before us, but we shall continue with our revolutionary spirit to carry out our aim to the last and if we could establish the foundation of the Chinese Republic, the duties of the Provisional Government would be at an end; then we may be pronounced to be "not guilty," in the eyes of the nation and the world. On this day when I meet our People I frankly declare what is my view.

### *Section 69. The Abdication Edicts, February, 1912*

"The following Edicts were dated the 25th day of the 12th moon of the 3rd year of Hsüan Tung (12th February 1912) and bore the Imperial Seal, together with the signatures of Yuan Shih-k'ai, Prime Minister, Hu Wei-ti, Acting Minister of Foreign Affairs, Chao Ping-

chun, Minister of the Interior, Shao Ying, Acting Minister of Finance (on leave), T'ang Ching-chung, Minister of Education (on leave), Wang Shih-chen, Minister of War (on leave), Tan Hsia-heng, Minister of Navy, Shen Chia-pen, Minister of Justice (on leave), Hsi Yen, Minister of Agriculture, Industry and Commerce, Liang Shih-yi, Acting Minister of Communications, and Ta Shou, Minister of Dependencies."*

393. The change of government

### A. The Change of Government

We have to-day received from the Empress Dowager Lung Yu an Edict stating that on account of the uprising by the Army of the People, with the co-operation of the people of the provinces, the one answering to the other as the echo does to the sound, the whole Empire has been as a boiling cauldron and the People have endured much tribulation. We therefore specially appointed Yuan Shih K'ai to instruct Commissioners to confer with the representatives of the Army of the People for the summoning of a National Convention at which the future form of government should be decided. There was wide divergence of opinion between the North and the South, and each strongly maintained its own views, and the general consequence has been an entire stoppage of trade and suspension of ordinary civil life. So long as the form of government remains undecided so long will the disturbed condition of the country continue. It is clear that the minds of the majority of the people are favorable to the establishment of a republican form of government, the Southern and Central provinces first holding this view, and the officers in the North lately adopting the same sentiments. The universal desire clearly expresses the will of Heaven, and it is not for us to oppose the desires and incur the disapproval of the millions of the People merely for the sake of the privileges and powers of a single House. It is right that this general situtation should be considered and due deference given to the opinion of the People. I, the Empress Dowager, therefore, together with the Emperor, hereby hand over the sovereignty (Tungchichuan 統治權) to be the possession of the whole people, and declare that the constitution shall henceforth be Republican, in order to satisfy the demands of those within the confines of the nation, hating disorder

* From *China Mission Year Book, 1912*, Appendix C, p. 16.

and desiring peace, and anxious to follow the teaching of the sages, according to which the country is the possession of the People (天下爲公).

Powers of Yuan Shih-kai

Yuan Shih-K'ai, having been elected some time ago president of the National Assembly at Peking, is therefore able at this time of change to unite the North and the South - let him then, with full powers so to do, organize a provisional Republican Government, conferring thereon with the representatives of the Army of the People, that peace may be assured to the People whilst the complete integrity of the territories of the five races, Chinese, Manchus, Mongols, Muhammadans and Tibetans, is at the same time maintained, making together a great state under the title the Republic of China (*Chung Hua Ming Kuo* 中華民國). We, the Empress Dowager and the Emperor, will retire into a life of leisure, free from public duties, spending Our years pleasantly and enjoying the courteous treatment accorded to Us by the People, and watching with satisfaction the glorious establishment and consummation of a perfect Government.

### B. The Future of the Imperial House

394. The future of the imperial house

The situation being critical and fraught with danger, and the People enduring suffering, We authorised the Cabinet to make terms with the Army of the People concerning due provision for the future of the Imperial Family. From the Cabinet We have now received the terms proposed, according to which the Imperial Ancestral Temples and Mausolea will be permanently respected and ritual services conducted thereat, and the Mausoleum of the late Emperor will be duly completed. These terms have been agreed upon. It is further provided that the Emperor, after his withdrawal from political affairs, shall retain his title, and the details of treatment of the Imperial House, set forth in eight Articles, of the Imperial Clansmen in four Articles, of Manchus, Mongols, Muhammadans and Tibetans in seven Articles, have been duly presented for Our consideration. We have examined these and find them satisfactory, and We hereby conjure the Imperial Clansmen, Manchus, Mongols, Muhammadans and Tibetans, to doff all distinctions and to unite for the maintenance of order and peace, accepting the measures that have been devised for the welfare of all and the contentment of the Republic, matters for which We have the sincerest solicitude.

The terms and articles above mentioned are as follows.—

The position of the emperor after abdication

(*a*) Concerning the Emperor:

The Ta Ching Emperor having proclaimed a republican form of government, the Republic of China will accord the

following treatment to the Emperor after his resignation and retirement.

ARTICLE 1. After abdication (辭位) the Emperor may retain his title and shall receive from the Republic of China the respect due to a foreign sovereign.

ARTICLE 2. After abdication the Throne shall receive from the Republic of China an annuity of Tls. 4,000,000 until the establishment of a new currency, when the sum shall be $4,000,000.

ARTICLE 3. After abdication the Emperor shall for the present be allowed to reside in the Imperial Palace, but shall later remove to the Eho Park, retaining his body-guard at the same strength as hitherto.

ARTICLE 4. After abdication, the Emperor shall continue to perform the religious ritual at the Imperial Ancestral Temples and Mausolea, which shall be protected by guards provided by the Republic of China.

ARTICLE 5. The Mausoleum of the late Emperor not being completed, the work shall be carried out according to the original plans, and the services in connexion with the removal of the remains of the late Emperor to the new Mausoleum shall be carried out as originally arranged, the expense being borne by the Republic of China.

ARTICLE 6. All the retinue of the Imperial Household shall be employed as hitherto, but no more eunuchs shall be appointed.

ARTICLE 7. After abdication, all the private property of the Emperor shall be respected and protected by the Republic of China.

ARTICLE 8. The Imperial Guards shall be retained without change in members or emolument, but they shall be placed under the control of the Department of War of the Republic of China.

The future of the Imperial Clansmen

(*b*) Concerning the Imperial Clansmen.

ARTICLE 1. Princes, Dukes and other hereditary nobility of the Ching shall retain their titles as hitherto.

ARTICLE 2. Imperial Clansmen of the Ching shall enjoy public and private rights in the Republic of China on an equality with all other citizens.

ARTICLE 3. The private property of the Imperial Clansmen of the Ching shall be duly protected.

ARTICLE 4. The Imperial Clansmen of the Ching shall be exempt from military service.

The status of Manchus, Mongols, Mohammedans, and Tibetans

(*c*) Concerning Manchus, Mongols, Muhammadans and Tibetans.

The Manchus, Mongols, Muhammadans and Tibetans having accepted the Republic the following terms are accorded to them:

ARTICLE 1. They shall enjoy full equality with the Chinese.

ARTICLE 2. They shall enjoy the full protection of their private property.

ARTICLE 3. Princes, Dukes, and other hereditary nobility shall retain their titles as hitherto.

ARTICLE 4. Impoverished Princes and Dukes shall be provided with means of livelihood.

ARTICLE 5. Provision for the livelihood of the Eight Banners shall with all despatch be made, but until such provision has been made the pay of the Eight Banners shall be as hitherto.

ARTICLE 6. Restrictions regarding trade and residence that have hitherto been binding on them are abolished, and they shall now be allowed to reside and settle in any department or district.

ARTICLE 7. Manchus, Mongols, Muhammadans and Tibetans shall enjoy religious freedom.

The above terms are to be officially communicated in despatches from both sides, to the foreign Ministers in Peking, to be forwarded to their respective Governments.

### C. CONTINUANCE OF ADMINISTRATIVE FUNCTIONS

395. Continuance of administrative functions

The Sovereigns who anciently ruled the state mainly sought the protection of the People's lives, not being able to look upon injury to the lives of the People. In order to give effect to Our desire that there should be no further disturbance but a restoration of peace We have acquiesced in a new form of Government, realizing that if We oppose the desires of the vast majority of the People hostilities must long continue, in which case the general stability would be undermined and fierce struggles ensue amongst the various races, causing distress to Our Ancestors and untold suffering to the People. This We cannot endure, and therefore We have chosen rather to suffer a light affliction than to impose grievous suffering on the People. We have come to this conclusion after serious consideration. Therefore the officials and People generally, both within Peking and without, should fully realize Our benevolent intent and, bearing in mind the present conditions, should not cause any disturbance by empty vapourings or proud talk. The Board of Civil Administration, the General Officers Commanding the Gendarmerie, Chiang Hwei-ti and Feng Kwo-chang, should take measures to preserve strict order and inform the People of the sincere designs of the Throne to comply with the will of Heaven and the wishes of the People, quite regardless of any personal feelings.

The Government has appointed officials and assigned them duties in the administration of all affairs, the Cabinet, the various Boards, and other offices in Peking; and in the Provinces, viceroys, governors, prefects and magistrates, whose duty it is to maintain public order. These officials, high and low, are to go on with their duties as usual, the chief of each office seeing to it that his subordinates do not neglect their duties. In this way We demonstrate Our love for the People.

On February 12, 1912, the Ching dynasty ceased to rule China; immediately Yuan Shih-kai, as Prime Minister and the one to whom all power had been delegated by the Manchus, notified Provisional President Sun and the others of the Nanking government.

**396. Announcement of abdication telegram from Yuan Shih-kai, dated Peking, February 12, 1912**

To President Sun, the National Assembly, the Ministers of the Cabinet at Nanking, and Vice-President Li, Wu-chang.

A Republic is the best form of Government. The whole world admits this. That in one leap we have passed from autocracy to republicanism is really the outcome of the many years of strenuous effort exerted by you all and is the greatest blessing to the People. The Ta Ching Emperor has proclaimed his abdication by Edict countersigned by myself. The day of the promulgation of this Edict shall be the end of the Imperial rule and the inauguration of the Republic. Henceforth we shall exert our utmost strength to move forward in progress until we reach perfection. Never shall we allow monarchical Government in our China. At present the work of consolidation is most difficult and complicated. I shall be most happy to go to the South and listen to your counsels in our conference as to the methods of procedure. Only, on account of the difficulty of maintaining order in the North, the existing of a large army requiring control, and the popular mind in the North and East not being united the slightest disturbance would affect the whole country. All of you, who thoroughly understand the situation, will realise my difficult position. You have studied the important question of establishing a republic and have formed definite plans in your mind. I beg you to inform me as to the way of co-operation in the work of consolidation.

**Yuan a staunch Republican**

**Regret inability to go to Nanking**

Upon receipt of Yuan's announcement, Dr. Sun telegraphed the latter, expressing his pleasure upon the

developments in the north and inviting Yuan to come in person to Nanking. An important observation from the point of view of government was Dr. Sun's pronouncement in reference to the power of the Manchus to authorize the formation of a republican government in China. This, Dr. Sun held, could come only by the will of the people—not by the command of an abdicated emperor.

397. Reply. Dr. Sun to Yuan Shih-kai, February 14, 1912

T'ang Shao-yi has telegraphed me that the Ching Emperor has abdicated and that you will support the Republic. The settlement of this great question is a matter of the utmost joy and congratulation. I will report to the National Assembly that I agree to resign the office of President in your favor. But the Republican Government cannot be organized by any authority conferred by the Ching Emperor. The exercise of such pretentious power will surely lead to serious trouble. As you clearly understand the needs of the situation, certainly you will not accept such authority. I cordially invite you to come to Nanking and fulfill the expectations of all. Should you be anxious about the maintenance of order in the North, would you inform the Provisional Government by telegraph whom you could recommend to be appointed with full powers to act in your place as a representative of the Republic? Expecting your reply to this telegram, I hereby again extend you our cordial welcome to Nanking.

After telegraphing Yuan Shih-kai, announcing his willingness to resign as provisional president, Dr. Sun sent in his formal resignation to the Nanking National Assembly on February 14, 1912. For this act of self-abnegation the provisional president was greatly praised. This was as it should be, nevertheless it should be remembered that Dr. Sun had taken oath so to act, and to have done otherwise would without doubt have resulted in civil war. On February 15, Yuan was elected president, and on March 10, inducted into office at Peking.

YUAN SHIH-KAI

398. Resignation of first provisional president, February 14, 1912

To-day I present to you my resignation and request you to elect a good and talented man as the new President. The election of President is a right of our citizens, and it is not for me to interfere in any way. But according to the telegram which our delegate Dr. Wu was directed to send to Peking, I was to undertake to resign in favor of Mr. Yuan when the Emperor had abdicated, and Mr. Yuan has declared his political views in support of the Republic. I have already submitted this to your honourable Assembly and obtained your approval. The abdication of the Ching Emperor and the union of the North and South are largely due to the great exertion of Mr. Yuan. Moreover, he has declared his unconditional adhesion to the national cause. Should he be elected to serve the Republic, he would surely prove himself a most loyal servant of the state. Besides, Mr. Yuan is a man of political experience, to whose constructive ability our united nation looks forward for the consolidation of its interest. Therefore, I venture to express my personal opinion and to invite your honourable Assembly carefully to consider the

Dr. Sun mentions Yuan for the presidency

future welfare of the state, and not to miss the opportunity of electing one who is worthy of your election. The happiness of our country depends upon your choice. Farewell.

### *Section 70. The Provisional Republican Constitution*

Since early in November, 1911, work on a provisional constitution had been going on. On March 10, at the time of the inauguration of Yuan Shih-kai as first president of the republic, the provisional constitution was proclaimed by the National Assembly. The latter moved to Peking, and on April 29, began functioning in the national capital.

399. Chapter I

#### CHAPTER I. GENERAL.

ARTICLE 1. The Republic of China is established by the People of China.

ARTICLE 2. The sovereignty of the Republic of China is vested in the whole body of the People.

ARTICLE 3. The territory of the Republic of China consists of the twenty-two provinces, Inner and Outer Mongolia, Thibet and Kokonor.

ARTICLE 4. The Republic of China will exercise its governing rights through the National Assembly, Provisional President, Ministers of State and Courts of Justice.

400. Chapter II

#### CHAPTER II. PEOPLE.

ARTICLE 5. The People of the Republic of China will be treated equally without any distinction of race, class or religion.

ARTICLE 6. The People will enjoy the following liberties:—

1. No citizen can be arrested, detained, tried or punished unless in accordance with the law.
2. The residence of any person can only be entered or searched in accordance with the law.
3. The People have the liberty of owning property and of trade.
4. The People have the liberty of discussion, authorship, publication, meeting and forming societies.
5. The People have the liberty of secrecy of letters.
6. The People have liberty of movement.
7. The People have liberty of religion.

ARTICLE 7. The People have the right of petition to the Assembly.

ARTICLE 8. The People have the right of petition to the administrative offices.

ARTICLE 9. The People have the right of trial at legal courts.

ARTICLE 10. The People have the right to appeal to the Court of Administrative Lit gation against any act of officials who have illegally infringed their rights.

ARTICLE 11 The People have the right of being examined to become officials.

ARTICLE 12. The People have the right of election and being elected to representative assemblies.

ARTICLE 13. The People have the duty of paying taxes in accordance with law.

ARTICLE 14. The People have the duty of serving in the army in accordance with law.

ARTICLE 15. The rights of the People enumerated in this chapter may, in the public interest, or for the maintenance of order and peace or upon other urgent necessity, be curtailed by due process of law.

401. Chapter III

## CHAPTER III. NATIONAL ASSEMBLY

(TSANGYIYUAN 參議院).

ARTICLE 16. The legislative functions of the Republic of China are exercised by the National Assembly or Tsangyiyuan (參議院).

ARTICLE 17. The National Assembly is formed of the members of Tsangyiyuan (參議院) elected by various districts as provided in Article 17.

ARTICLE 18. Five members in each province, Inner Mongolia, Outer Mongolia, and Tibet and one member from Kokonor will be elected. The measures for the election will be decided by each district. At the time of the meeting of the National Assembly each member has one vote.

ARTICLE 19. The official rights of the National Assembly are as under:—

1. To decide all laws.
2. To decide Budgets and settle accounts of the Provisional Government.
3. To decide the measures of taxation, monetary system and uniform weights and measures.
4. To decide the amount of public loan and agreements involving any obligation on the state treasury.

5. To ratify affairs mentioned in articles 34, 35, and 40.
6. To reply to any affairs referred for decision by the Provisional Government.
7. To accept petitions of the People.
8. To express views and present them to the Government regarding laws and other matters.
9. To question Ministers of State and demand their presence at the Assembly to give reply.
10. To demand that the Provisional Government enquire into cases of the taking of bribes or other illegal acts of officials of the Government.
11. The National Assembly may impeach the Provisional President if recognized as having acted as a traitor, by vote of three-fourths of the members present at a quorum of four-fifths of the whole number of members.
12. The National Assembly may impeach any of the Ministers of State if recognized as having failed to carry out their official duties or having acted illegally, on the decision of two-thirds of the members present at a quorum of three-fourths of the whole number of members.

ARTICLE 20. The National Assembly may hold its meetings of its own motion and may decide the dates of opening and closing.

ARTICLE 21. The meetings of the National Assembly will be open to the public but in case of the demand of any minister of state or in case of the majority's decision a meeting may be held *in camera*.

ARTICLE 22. The matters decided by the National Assembly shall be promulgated and carried out by the Provisional President.

ARTICLE 23. When the Provisional President uses his veto against the decision of the National Assembly his reasons should be declared to the National Assembly within ten days, and the matter should be placed before the National Assembly for further discussion. If two-thirds of the members attending re-affirm the former decision that decision shall be carried out as stipulated in Article 22.

ARTICLE 24. The Speaker of the National Assembly will be elected by open ballot of the members and if the ballot be one half of the total votes he is declared elected.

ARTICLE 25. The members of the National Assembly have no responsibility to outsiders for the speeches made and decisions reached in the Assembly.

ARTICLE 26. Except for flagrant offences or during internal disturbance or foreign invasion the members of the

Assembly cannot be arrested during the session without the consent of the Assembly.

ARTICLE 27. The standing orders of the National Assembly shall be decided by the National Assembly itself.

ARTICLE 28. The National Assembly shall be dissolved when the National Convention (Kuohui 國會) comes into existence, which will succeed to all the rights of the National Assembly.

402. Chapter IV

## CHAPTER IV. PROVISIONAL PRESIDENT AND VICE-PRESIDENT.

ARTICLE 29. The Provisional President and Vice-President will be elected by the National Assembly by vote of two-thirds of the members present at a quorum of three-fourths of the whole number.

ARTICLE 30. The Provisional President represents the Provisional Government and controls political affairs and promulgates laws.

ARTICLE 31. The Provisional President executes laws and issues orders authorised by law and has such orders promulgated.

ARTICLE 32. The Provisional President controls and commands the Navy and Army of the whole country.

ARTICLE 33. The Provisional President decides official organizations and discipline but such should be approved by the National Assembly.

ARTICLE 34. The Provisional President is empowered to make appointments and dismissals of civil and military officials. However, the Ministers of State, ambassadors and ministers accredited to foreign powers, should be approved by the National Assembly.

ARTICLE 35. The Provisional President declares war, negotiates peace and concludes treaties with the approval of the National Assembly.

ARTICLE 36. The Provisional President declares martial law in accordance with the laws.

ARTICLE 37. The Provisional President represents the whole country to receive ambassadors and ministers of foreign countries.

ARTICLE 38. The Provisional President presents bills for laws to the National Assembly.

ARTICLE 39. The Provisional President confers decorations and other honorary bestowals.

ARTICLE 40. The President declares general amnesty, special amnesty, commutation and rehabilitation; general amnesty needs the approval of the National Assembly.

ARTICLE 41. In case the Provisional President be impeached by the National Assembly the judges of the highest court of justice will elect nine judges to organize a special tribunal to try and decide the case.

ARTICLE 42. The Provisional Vice-President will act for the Provisional President in case the Provisional President dies or is unable to attend to his duties.

## CHAPTER V. MINISTERS OF STATE.

403. Chapter V

ARTICLE 43. The Prime Minister and Ministers of departments are called Ministers of State.

ARTICLE 44. Ministers of State assist the Provisional President and share responsibility.

ARTICLE 45. Ministers of State countersign bills proposed, laws proposed, laws promulgated and orders issued by the Provisional President.

ARTICLE 46. Ministers of State and their deputies attend and speak in the National Assembly.

ARTICLE 47. When any Minister of State is impeached by the National Assembly the Provisional President should dismiss him but the case may be retried by the National Assembly at the request of the Provisional President.

## CHAPTER VI. COURTS OF JUSTICE.

404. Chapter VI

ARTICLE 48. Courts of Justice consist of judges to be appointed by the Provisional President and Ministers of Justice. The organization of Courts of Justice and qualification of judges will be decided by law.

ARTICLE 49. The Courts of Justice will try and decide cases of civil litigation and criminal litigation in accordance with law. However, administrative litigation and other special litigation will be governed by special laws.

ARTICLE 50. The trial and judgement of the Courts of Justice will be open to the public but cases which are considered to be against peace and order may be held *in camera*.

ARTICLE 51. Judges will never be interfered with by any higher officials in their offices either during a trial or in delivering judgment, as judges are independent.

ARTICLE 52. Whilst a judge holds office his salary cannot be reduced and his functions cannot be delegated to another. Unless in accordance with law, he cannot be punished or dismissed or retire. The regulations for the removal of judges will be stipulated by special law.

## CHAPTER VII. ANNEX.

405. Chapter VII

ARTICLE 53. Within ten months of the date of this law being in force the Provisional President should convene a

National Convention. The organization and the measures for election of such National Convention will be decided by the National Assembly.

ARTICLE 54. The Constitution of the Republic of China will be decided by the said National Convention and before the said Constitution comes into force this law will have the same force as the Constitution.

ARTICLE 55. This law will be either added to or revised by three-fourths of the members of the National Assembly present at a quoroum of two-thirds of the whole number; or by three-fourths of the members present at a quorum of four-fifths of the whole number when the amendment is proposed by the Provisional President.

ARTICLE 56. This law shall come into force when it is promulgated and the rules of provisional government now in force will be cancelled when this law comes into force.

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** YEN, *A Survey of Constitutional Development in China* (New York, 1911); BLAND AND BACKHOUSE, *China Under the Empress Dowager* (London, 1910); CANTLIE AND JONES, *Sun Yat Sen and the Awakening* (London, 1912?); SUN YAT-SEN, *Kidnapped in London* (Bristol and London, 1897); BLAND, *Recent Events and Present Policies in China* (London, 1912); MCCORMICK, *The Flowery Republic* (New York, 1913); POTT, *The Emergency in China* (New York, 1913); VINACKE, *Modern Constitutional Development in China* (Princeton Univ. Press, 1920); REINSCH, *Intellectual and Political Currents in the Far East* (Boston and New York, 1911); *British Blue Book 1912—China;* KENT, *The Passing of the Manchus* (London, 1912); HORNBECK, *Contemporary Politics in the Far East* (New York, 1918); PUTNAM WEALE, *The Fight for the Republic in China* (New York, 1917); GRIFFIS, *China's Story* (Boston and New York, 1922); THOMSON, *China Revolutionized* (Indianapolis, 1913); FARJENEL, *Through the Chinese Revolution;* LOWE MIN-TZE, *Suggestions for the Reconstruction of China* (Shanghai, 1912); K. EU YANG, *The Political Reconstruction of China* (Shanghai, 1922); BEVAN, *Constitution Building in China* (Shanghai, 1910); *China Mission Year Book, 1912,* (Shanghai); S. G. CHENG, *Modern China,* (Oxford Clarendon Press, 1919).

# CHAPTER XVI

## CHINA'S DOMESTIC AND FOREIGN RELATIONS UNDER THE REPUBLIC, 1912–1916

### *Section 71. The Rule of Yuan Shih-kai—The Monarchical Movement*

Mention of the rise of Yuan Shih-kai to supreme power has been made in the preceding chapters; a few facts not hitherto given may help us to understand his actions as president. Yuan was born in 1859 in the province of Honan, a member of a well-known official family. He was more interested in athletics and military affairs than in study. About 1879, he became a staff officer to General Wu Chang-ching, whom he accompanied to Korea. His work there led to his becoming a protégé of Li Hung-chang. In 1885, Li appointed him Chinese imperial resident at Seoul where his task was to do everything possible to retain Korea in her position of dependence upon China. This policy did not enhance his popularity with the Japanese government. He vainly attempted to avert the China-Japan War. Shortly afterward, he became commander in chief of an imperial army at Tientsin, where he distinguished himself by his powers of organization and administration. His supposed betrayal of the emperor Kuang Hsü and its results have already been discussed. During the Boxer period he protected the foreigners in Shantung, of which province he was then governor. In 1901, he

was made viceroy of Chihli where Li Hung-chang, Yuan's master, had held sway for thirty years. Here his ability as an organizer and administrator was shown at its best. He built up a model army, developed education, fostered the growth of industries and road building,—became in a word, with the aid of foreign advisers, a progressive ruler. From viceroy, Yuan became a Grand Secretary and President of the Board of Foreign Affairs, in which position he dared, as we have seen, to differ with the Empress Dowager T'zŭ Hsi over the choice of successor to Kuang Hsü.

In judging of Yuan as president and the policy which he carried out in this position, it is necessary to differentiate between his progressive deeds of an earlier period and his conservative ideas of the correct methods of governing China after he came to supreme power.

**406. Yuan's methods of ruling the republic**

. . . In accepting the Presidency, with quite obvious mental reservations, he merely followed the opportunist traditions of his class and creed. He realised that the metropolitan administration and the mandarinate of the provinces were quite as thoroughly disorganised and terrified as the Manchus themselves by the swift development of Young China's revolution, and that the only hope of preserving the country from complete chaos lay in the re-establishment of a strong central authority—no matter what its name—at Peking. . . .

Yuan, as President, proved himself a past-master in all the arts of mandarin intrigue: expert in opportunism, prudent in counsel, of many devices; a very Ulysses for stratagem, unwavering in the execution of his plans. He adhered boldly to the corrupt traditions of venal expediency, which have characterised the Government of China for centuries, to the nepotism and tortuous methods of Oriental statecraft; but in all, and above all, he fought steadily for the maintenance of the unbroken continuity of time-honoured traditions, for the preservation of the philosophy and morality of the Confucian system, and for the maintenance of the ancient social structure of civilisation, founded upon that system, whose apex is the Dragon Throne. He acted from the outset upon the conviction, which he had frankly confessed to *The*

*Times* correspondent at Peking on November 20, 1911, that "the institution of a Republic could only mean the instability of a rampant democracy, of dissension and partition," and that its results would be chaos, "amidst which all interests would suffer and for several decades there would be no peace in the Empire." He believed, with good cause, that the politicians of Young China were either vain dreamers or ambitious place-seekers, and that by no possibility could their dreams be brought into any direct relation with the actualities of the life, and deep-rooted reverences and beliefs, of the Chinese people. Upon this belief he acted consistently, even while yielding lip-service to the Republican form of government and taking an empty oath of allegiance to the principle of representative institutions.

It is unnecessary to recapitulate here the incidents—many of them tragically sordid—of Yuan's successful campaign against the "rampant democracy" of Young China. . . . Two incidents, however, which clearly indicated the President's policy and the methods by which it was to be fulfilled, deserve to be remembered. The first was the summary execution, by his orders, of two Republican generals, accused of treasonable conspiracy at Wuchang, in August 1912—an act of autocratic martial law administered *à l'Orientale*, without hesitation or formalities. The second was the assassination at Shanghai, in April 1913, of Sung Chiao-jen, the Kuo-Min tang's candidate for the Premiership, under circumstances which pointed clearly to the complicity, if not the direct instigation, of the President. The Republican generals at Wuchang were dangerous because they were capable of organizing a military revolt; Sung Chiao-jen was dangerous because, at the moment when the National Assembly was about to meet for the first time, he was the uncompromising advocate of Parliamentary, as opposed to Presidential, authority. . . . If at any time after his inauguration as President he displayed a conciliatory attitude towards Young China, subsequent events proved that he was merely drawing back in order to jump the more effectively.

Yuan's tyranny

At the outset, Yuan's position was rendered dangerously insecure for lack of the sinews of war: until he had negotiated a large foreign loan, his authority lacked not only the prestige which recognition by the Powers conferred, but it lacked the means of purchasing the "loyalty" of military commanders like Chang Hsün and providing his agents at the provincial capitals with the only argument which is invariably convincing in China. Once placed in possession of funds, however, and assured of the sympathy and support of the Governments which direct the operations of the "Five Powers" group of financiers, Yuan could face with equanimity the

Cantonese party's last desperate bid for place and power. "The war to punish Yuan" (July 1913) was a melancholy fiasco. . . .

His autocratic methods

It was only after the President's easy victory over the rabble forces of Sun Yat-sen and Huang Hsing that his policy of centralisation revealed the hand of the Strong Man and his intention of restoring the principles and practice of autocratic government. . . . After the collapse of the last possible attempt at organised insurrection, the proscription of the Kuo-Min tang was inevitable. He removed it, as Cromwell removed the Rump Parliament, and no dog barked in all the land. At his subsequent formal "election" to the Presidency on October 6, 1913, he took occasion to emphasise the fact that, for the future, he proposed to rule without interference, in accordance with ancient tradition. "Restrictions have been placed on my authority," he observed, "which have hampered me in my work of promoting the country's best interests." . . .

The Presidential election law, promulgated in December 1914, conferred ten years of office on the President, who was to be eligible for re-election by a vote of two-thirds of the Administrative Council. . . . By the redrafting of the Constitution, full powers were conferred upon the President to declare war and make treaties. In his hands, also, was placed supreme authority over the finances and armed forces of the country. Finally, a leaf was carefully selected from Great Britain's wait-and-see procedure of Parliamentary reform by the promise of a model Parliament, to consist of an Upper and a Lower House, to be elected and convened at some convenient season in the dim future.

Thus, out of the chaos left by the passing of the Manchus and the turmoil of the revolution, Yuan Shih-k'ai's genius of statesmanship, conforming strictly to the ancient classical model, succeeded in effectively restoring the authority of the metropolitan administration, with himself as its head, in the undisguised capacity of Dictator.

The numberless ramifications of the monarchical movement of 1915-1916 cannot be known for many years; nevertheless, several important documents connected with the movement have been published. Months before any public move was made there had been whisperings and rumors relating to Yuan's ambitions for the throne. Yuan apparently felt that his position would be

strengthened if distinguished Chinese and foreign advisers would defend the movement. The greatest Chinese scholar who might have aided was Liang Chi-chao, the Minister of Justice. He, however, was greatly opposed to the change and, resigning his post, retired to Tientsin. A scholar less distinguished came forward with a scheme to aid the president: this was Yang Tu, a member of the Old Imperial Senate. Part I of his argument is included here: his reasons for favoring a monarchical form of government for China are clearly stated.

**407. Yang Tu's defense of the monarchical movement**

Mr. Ko (or 'the stranger'): Since the establishment of the Republic four years have passed, and upon the President depends the preservation of order at home and the maintenance of prestige abroad. I suppose that after improving her internal administration for ten or twenty years, China will become a rich and prosperous country, and will be able to stand in the front rank with western nations.

Mr. Hu: No! No! If China does not make any change in the form of government there is no hope for her becoming strong and rich; there is even no hope for her having a constitutional government. I say that China is doomed to perish.

Mr. Ko: Why so?

Mr. Hu: The republican form of government is responsible. The Chinese people are fond of good names, but they do not care much about the real welfare of the nation. No plan to save the country is possible. The formation of the Republic as a result of the first revolution has prevented that.

Mr. Ko: Why is it that there is no hope of China's becoming strong?

Mr. Hu: The people of a republic are accustomed to listen to the talk of equality and freedom which must affect the political and more especially the military administration. In normal circumstances both the military and student classes are required to lay great emphasis upon unquestioned obedience and respect for those who hold high titles. The German and Japanese troops observe strict discipline and obey the orders of their chiefs. That is why they are regarded as the best soldiers in the world. France and America are in a different position. They are rich but not strong. The sole difference is that Germany and Japan are ruled by monarchs while France and America are republics. Our conclusion therefore is that no republic can be strong.

But since the French and American peoples possess general education, they are in a position to assume responsibility for the good government of their nations which they keep in good order. On that account, although these republics are not strong in dealing with the Powers, they can maintain peace at home. China, however, is unlike these countries, for her standard of popular education is very low. Most of the Chinese soldiers declare as a commonplace: "We eat the imperial food and we must therefore serve the imperial master." But now the Imperial family is gone, and for it has been substituted an impersonal republic, of which they know nothing whatsoever. These soldiers are now law-abiding because they have awe-inspiring and respectful feelings for the man at the head of the state. But as the talk of equality and freedom has gradually influenced them, it has become a more difficult task to control them. . . . Now we have come to the point when we are deeply satisfied if the army of the Republic does not openly mutiny! We cannot expect any more from them save to hope that they will not mutiny and that they will be able to suppress internal disturbances. In the circumstances there is no use talking about resistance of a foreign invasion by these soldiers. As China, a republic, is situated between two countries, Japan and Russia, both of which have monarchical governments, how can we resist their aggression once diplomatic conversations begin? From thisit is quite evident that there is nothing which can save China from destruction. Therefore I say there is no hope of China becoming strong.

Mr. Ko: But why is it that there is no hope of China ever becoming rich?

Mr. Hu: People may not believe that while France and America are rich China must remain poor. Nevertheless, the reason why France and America are rich is that they were allowed to work out their own salvation without foreign intervention for many years, and that at the same time they were free from internal disturbances. If any nation wishes to become rich, it must depend upon industries for its wealth. Now, what industries most fear is disorder and civil war. During the last two years order has been restored and many things have returned to their former state, but our industrial condition is the same as under the Manchu Dynasty. Merchants who lost their capital during the troublous times and who are now poor have no way of retrieving their losses, while those who are rich are unwilling to invest their money in industrial undertakings, fearing that another civil war may break out at any moment, since they take the recent abortive second revolution as their warning. In future, we shall have disquietude every few years; that is whenever

the president is changed. Then our industrial and commercial condition will be in a still worse condition. If our industries are not developed, how can we expect to be strong? Take Mexico as a warning. There is very little difference between that country and China, which certainly cannot be compared with France and America. Therefore I say there is no hope for China ever becoming rich.

Mr. Ko: Why is it that you say there is no hope for China having a Constitutional Government?

Mr. Hu: A true republic must be conducted by many people possessing general education, political experience and a certain political morality. Its president is invested with power by the people to manage the general affairs of the state. . . . The majority of our people do not know what the republic is, nor do they know anything about a Constitution nor have they any true sense of equality and freedom. Having overthrown the Empire and established in its place a republic they believe that from now on they are subservient to no one, and they think they can do as they please. Ambitious men hold that any person may be president and if they cannot get the presidency by fair means of election they are prepared to fight for it with the assistance of troops and robbers. . . . Although we have a Provisional Constitution now and we have all kinds of legislative organs, which give to the country an appearance of a constitutional government, China has a constitutional government in name only and is a monarchy in spirit. Had the government refrained from exercising monarchical power during the last four years, the people could not have enjoyed one day of peace. In short, China's republic must be governed by a monarchy through a constitutional government. . . .

As for our President, he can remain at the head of the State for a few years. At most he may hold office for several terms,—or perhaps for his whole life. Then questions must arise as to who shall succeed him; how to elect his successor how many rivals will there be; whether their policies will be different from his, etc., etc. . . . Whilst the country is governed by an able president, the people enjoy peace and prosperity. But once an incapable man assumes the presidency, chaos will become the order of the day, a state of affairs which will finally lead to the overthrow of the president himself and the destruction of the country. . . .

Mr. Ko: . . . And yet is there no plan possible whereby she may be saved?

Mr. Hu: If China wishes to save herself from ultimate disappearance from the face of the earth, first of all she must get rid of the republic. Should she desire wealth and strength, she must adopt a constitutional government. Should she

want constitutional government she must first establish a monarchy. . . .

Mr. Ko: I do not understand why it is that a monarchy should be established before the constitutional form of government can be formed?

Mr. Hu: Because if the present system continues there will be intermittent trouble. At every change of the president there will be riot and civil war. In order to avert the possibility of such awful times place the president in a position which is permanent. It follows that the best thing is to make him Emperor. When that bone of contention is removed, the people will settle down to business and feel peace in their hearts, and devote their whole energy and time to the pursuit of their vocations. It is logical to assume that after the adoption of the monarchy they will concentrate their attention on securing a constitutional government which they know is the only salvation for their country. As for the Emperor, knowing that he derives his position from the change from a republic, and filled with the desire of pacifying the people, he cannot help sanctioning the formation of the constitutional form of government, which in addition, will insure to his offspring the continuation of the Throne. Should he adopt any other course, he will be exposed to great personal danger. If he is broadminded, he will further recognize the fact that if no constitutional form of government is introduced, his policy will perish after his death. . . .

Mr. Ko: Please summarize your discussion.

Mr. Hu: In short, the country cannot be saved except through the establishment of a constitutional form of government. No constitutional government can be formed except through the establishment of a monarchy. The constitutional form of government has a set of fixed laws, and the monarchy has a definite head who cannot be changed, in which matters lies the source of national strength and wealth. . . .

Yang Tu's pamphlet was fitted for Chinese consumption; it was desirable to have foreign "advice," however, which could strengthen Yuan's position in the eyes of both Chinese and foreigners, as well as the governments of foreign countries. Accordingly he called upon Dr. Frank J. Goodnow, an American scholar and authority on administrative law, who was a constitutional adviser to the Peking government.

Dr. Goodnow, in the summer of 1915, presented Yuan with a memorandum on governmental systems. In this he briefly reviewed the experience of many countries with the republican form of government. In his introduction, Dr. Goodnow made this significant statement: "The former history of the country, its traditions, its social and economic conditions, all have either favored the form of government which has been adopted, or, in case the form of government at first adopted has not been in harmony therewith, have soon brought it about that that form is replaced by one which is better suited to the country's needs." On the whole, Dr. Goodnow concluded that it has been only in countries where the general standard of intelligence has been high that republican government has been successful. His conclusions and his application of them to the case of China are of interest not only on account of their importance in 1915, but also because his statements are as generally true at present as at any preceding time.*

**408. Dr. Goodnow's memorandum on governmental systems**

The experience of the South and Central American countries would seem to inculcate the same lessons which may be derived from the experience of the United States and France. These are:

Lessons from republican experience

1st.—That the difficult problem of the succession to executive power in a republic may be solved by a people which has a high general intelligence due to the existence of schools where general education may be obtained and which has learned to exercise political power through participation in the affairs of government; and

2nd.—That little hope may be entertained of the successful solution of the question of Presidential succession in a country where the intelligence of the people is not high and where the people do not acquire political wisdom by sharing in the exercise of political power under some form

* It is to be noted that the memorandum as published here in part is a translation into English of a translation into Chinese of Dr. Goodnow's memorandum as written in English. The original, according to Dr. Goodnow, is not available.

of constitutional government. Where such conditions do not exist a republican form of government—that is, a government in which the executive is not hereditary—generally leads to the worst possible form of government, namely, that of the military dictator. The best that can be hoped for under such a system is periods of peace alternating with periods of disorder during which the rival claimants for political power are striving among themselves for the control of the government.

Great powers will not permit disorder

At the present time, it may further be remarked, it is very doubtful whether the great powers of the European world will permit the government of the military dictator permanently to exist, if it continues to be accompanied by the disorder which has been its incident in the past. The economic interests of the European world have grown to be so comprehensive, European capital and European commercial and industrial enterprises have become so wide in their ramifications that the governments of the foreign countries interested, although caring little what may be the form of government adopted by the nations with which they deal, are more and more inclined to insist, where they have the power, that conditions of peace shall be maintained in order that they may receive what they consider to be the proper returns on their investments. This insistence they are more and more liable to carry to the point of actual destruction of the political independence of offending nations and of direct administration of their government if this is necessary to the attainment of the ends desired.

It is therefore becoming less and less likely that countries will be permitted in the future to work out their own salvation through disorder and revolution, as may have been the case during the past century with some of the South American countries. Under modern conditions countries must devise some method of government under which peace will be maintained or they will have to submit to foreign control.

China's needs considered

The question naturally presents itself: How do these considerations affect the present political situation of China?

China is a country which has for centuries been accustomed to autocratic rule. The intelligence of the great mass of its people is not high, owing to the lack of schools. The Chinese have never been accorded much participation in the work of government. The result is that the political capacity of the Chinese people is not large. The change from autocratic to republican government made four years ago was too violent to permit the entertainment of any very strong hopes of its immediate success. Had the Tsing dynasty not been an alien rule which it had long been the wish

of the Chinese people to overthrow, there can be little doubt that it would have been better to retain the dynasty in power and gradually to introduce constitutional government in accordance with the plans outlined by the commission appointed for this purpose. But the hatred of alien rule made this impossible and the establishment of a republic seemed at the time of the overthrow of the Manchus to be the only alternative available.

It cannot, therefore, be doubted that China has during the last few years been attempting to introduce constitutional government under less favorable auspices than would have been the case had there been a royal family present which the people regarded with respect and to which they were loyal. The great problem of the presidential succession would seem still to be unsolved. The present arrangement cannot be regarded as satisfactory. When the present President lays down the cares of office there is great danger that the difficulties which are usually incident to the succession in countries conditioned as is China will present themselves. The attempt to solve these difficulties may lead to disorders which if long continued may seriously imperil the independence of the country.

What under these conditions should be the attitude of those who have the welfare of China at heart? Should they advocate the continuance of the Republic or should they propose the establishment of a monarchy?

These are difficult questions to answer. It is of course not susceptible of doubt that a monarchy is better suited than a republic to China. China's history and traditions, her social and economic conditions, her relations with foreign powers all make it probable that the country would develop that constitutional government which it must develop if it is to preserve its independence as a state, more easily as a monarchy than as a republic.

But it is to be remembered that the change from a republic to a monarchy can be successfully made only on the conditions:—

1st.—That the change does not meet with such opposition either on the part of the Chinese people or of foreign powers as will lead to the recurrence of the disorders which the present republican government has successfully put down. The present peaceful conditions of the country should on no account be imperiled.

2nd.—The change from republic to monarchy would be of little avail if the law of succession is not so fixed that there will be no doubt as to the successor. The succession should not be left to the Crown to determine, for the reasons which have already been set forth at length. It is probably

of course true that the authority of an emperor would be more respected than the authority of a president. The people have been accustomed to an emperor. They hardly know what a president is. At the same time it would seem doubtful if the increase of authority resulting from the change from President to Emperor would be sufficient to justify the change, if the question of the succession were not so securely fixed as to permit of no doubt. For this is the one greatest advantage of the monarchy over the republic.

3rd.—In the third place it is very doubtful whether the change from republic to monarchy would be of any lasting benefit to China, if provision is not made for the development under the monarchy of the form of constitutional government. If China is to take her proper place among nations greater patriotism must be developed among the people and the government must increase in strength in order to resist foreign aggression. Her people will never develop the necessary patriotism unless they are given greater participation in the government than they have had in the past. The government never will acquire the necessary strength unless it has the cordial support of the people. This it will not have unless again the people feel that they have a part in the government. They must in some way be brought to think of the government as an organization which is trying to benefit them and over whose actions they exercise some control.

Whether the conditions which have been set forth as necessary for such a change from republic to monarchy as has been suggested are present, must of course be determined by those who both know the country and are responsible for its future development. If these conditions are present there can be little doubt that the change would be of benefit to the country.

One of the reformers of 1898, and a follower of K'ang Yu-wei, was Liang Chi-chao, a native of the province of Kwangtung. On the failure of the reform movement he fled to Japan where he published periodicals devoted to reform. After the revolution he returned to China and entered politics: in the Cabinet of Hsiung Hsi-ling he held the portfolio of Minister of Justice. In order to oppose the monarchical movement he resigned his offices and retired for a time to Tientsin. Later he helped to direct the Yünnan rebellion, which contributed to Yuan's fall. The following is part of his appeal against the proposed change of the form of state.

409. Liang Chi-chao's opposition to the monarchical movement

Some time ago I said that, as political students, we should only care for *Cheng-ti*, i. e., the form of government and not for *Kuo-ti*, i. e., the form of state. Do not call this trifling with words, for it is a principle which all critics of politics should follow and never depart from. The reason is that critics of politics should not, because they cannot, influence the question of *Kuo-ti*. They should not influence the question of *Kuo-ti* because so long as the question of *Kuo-ti* remains unsettled the major portion of the administration remains at a standstill. Thus there will be no political situation properly so called and there will be no political questions to discuss (here the term political means really administrative). If a critic of politics, therefore, interfere with the question of *Kuo-ti*, he will be leading the nation into a condition of political instability, thus undermining the ground on which the people stand. Such critics can be likened unto a man trying to enter a house without ascending the steps or crossing a river without a boat.

The question of *kuo-ti*

They cannot influence the question of *Kuo-ti*. The force which drives and steers the change of one form of State or *vice versa* is generally not derived from mere politics. If the time is not ripe, then no amount of advocacy on the part of critics can hasten it. If the time is ripe, nothing the critics say can prevent it. He who indulges himself in the discussion of the problem of *Kuo-ti*—i. e., the form of States, as a political student, is ignorant of his own limitations and capacity. . . . Therefore the great principle of looking to the actual state of administration of the form of government and leaving the mere form of state in the background is a principle that is applicable under all circumstances and should be followed by all critics of politics.

The argument against change

No form of government is ideal. Its reason of existence can only be judged by what it has achieved. It is the height of folly to rely on theoretical conclusions as a basis for artificial arbitration as to what should be accepted and what discarded. Mere folly, however, is not to be seriously condemned. But the danger and harm to the country will be unmeasurable if a person has prejudiced views respecting a certain form of government and in order to prove the correctness of his prejudiced views, creates artificially a situation all by himself. For this reason my view has always been not to oppose any form of government. But I am always opposed to any one who engages in a propaganda in favour of a form of government other than the one under which we actually live. In the past I opposed those who tried to spread the republican form of government while the country was under monarchical government. . . .

I do not say that the merits or otherwise of the republican system should not be discussed, but the time for such a discussion has passed. The most opportune time for such a discussion was in 1911 when the Revolution had just begun; but since then further discussions should not be tolerated. . . .

Do you not realize that the State is a thing of great importance and should not be disturbed carelessly? How can you then experiment with it and treat it as if you were putting a chest into a dead hole, saying "Let me place it here for the moment and I will see to it later.". . .

But our modern critics say we prefer a constitutional monarchy to an autocratic republic. Now whether we are constitutional or not is a question concerning the administration, while the question whether we are republican or not is a question concerning the form or status of the country. We have always held that the question of *Kuo-ti* is above discussion and that what we should consider is the actual condition of administration. If the administration (government) is constitutional, then it matters not whether the country is a Republic or a Monarchy. If the government is not constitutional then neither a republic nor a monarchy will avail. There is no connexion, therefore, between the question of *Kuo-ti* and the question of *Cheng-ti*. It is an absurd idea to say that in order to improve the administration we must change the *Kuo-ti*—the status or form of the country—as a necessity. If this idea is to be entertained for a single moment the changes even in constitutional countries will be endless. But the curious paradox is that in former days the critics said that only a republic, not a monarchy, could be constitutional; whereas, the critics now say that a monarchy, not a republic, can alone be constitutional! . . .

Relation of a constitution to a republic and to a monarchy

Can it be possible that those who are now holding up the constitutional principle as a shield for their monarchical views have a different definition for the term "constitution"? The Ching (Manchu) Dynasty considered itself as possessing a constitution in its last days. Did we recognize it as such? Let me also ask the critics what guarantee they have to offer that the constitution will be put into effect without hindrance as soon as the form of State is changed. If they cannot give any definite guarantee, then what they advocate is merely an absolute monarchy and not a constitutional monarchy. As it is not likely to be a constitutional monarchy, we may safely assume that it will be an imperial autocracy. I cannot regard it as a wise plan if, owing to dislike of its defects, the Republic should be transformed into an imperial autocracy. Owing to various unavoidable reasons, it is excusable in spite of violent opposition to adopt temporarily autocratic methods in a republican country. But if the plan proposed

by present-day critics be put into effect, that on the promise of a constitution we should agree to the adoption of a monarchy, then the promise must be definitely made to the country at the time of transition that a constitutional government will become an actuality. But if, after the promise is made, existing conditions are alleged to justify the continuance of autocratic methods, I am afraid the whole country will not be so tolerant towards the Chief Executive. To assume outwardly the rôle of constitutional government, but in reality to rule in an unconstitutional manner, was the cause of the downfall of the Ching Dynasty. The object lesson is not obscure. Let us take warning by it.

If, on the other hand, the present-day critics are really in earnest for a constitution, then I am unable to understand why they believe that this cannot be secured under the Republic but must be obtained in a roundabout way by means of a monarchy. In my view the real hindrances to the adoption of a constitution at the present day in China are the existing conditions, *viz.* the attitude of the officials and the traditions and intellectual standards of the people. But these hindrances have not resulted from the adoption of republicanism. Therefore they cannot be expected to disappear with the disappearance of the Republic. For instance, from the President downward to the minor official of every official organ in the capital or in the provinces, every one inclines to be independent of the law, and considers it convenient to deal with affairs as he pleases. This is the greatest obstacle to constitutional government. Now has that anything to do with the change or not of the form of State? . . .

Loss of imperial dignity in China

Now my friends, you have stated in a worthy manner the reasons why the republican form of state cannot assist China to maintain her existence; now let me state why it is impossible to restore the monarchical system. The maintenance of the dignity of a monarch depends on a sort of mystical, historical, traditional influence or belief. Such an influence was capable of producing unconsciously and spontaneously a kind of effect to assist or indirectly in maintaining order and imparting blessing to the country. In this lies the value of a monarchy. But dignity is a thing not to be trifled with. Once it is trodden down it can never rise again. . . . Ever since the days of monarchical government the people have looked on the monarch with a sort of divine reverence, and never dared to question or criticise his position. After a period of republicanism, however, this attitude on the part of the common people has been abruptly terminated with no possibility of resurrection. A survey of all the republics of the world will tell us that although a large number

of them suffered under republican rule, not a single one succeeded in shaking itself free of the republican fetters. Among the world republics only France has had her monarchical system revived twice after the republic was first inaugurated. The monarchy, however, disappeared almost immediately. Thus we may well understand how difficult it is for a country to return to its monarchical state after a republican régime. It may be said that China has had only a short experience of the republican régime; but it must also be remembered that the situation has been developing for more than ten years and in actual existence for about four years. During the period of development the revolutionists denounced the monarch in most extravagant terms and compared him to the devil. Their aim was to kill the mystic belief of the people in the Emperor; for only by diminishing the dignity of the monarch could the revolutionary cause make headway. And during and after the change all the official documents, school textbooks, press views and social gossip have always coupled the word monarch with reprobation. . . .

The many changes of recent years

The Odes say, "The people are tired. Let them have a respite." In less than four years' time from the 8th moon of the year Hsin Hai we have had many changes. Like a bolt from the blue we had the Manchu Constitution, then "the Republic of Five Races," then the Provisional President, then the formal Presidency, then the Provisional Constitution was promulgated, then it was suddenly amended, suddenly the National Assembly was convoked, suddenly it was dissolved, suddenly we had a Cabinet System, suddenly it was changed to a Presidential system, suddenly it was a short-term Presidency, suddenly it was a life-term Presidency, suddenly the Provisional Constitution was temporarily placed in a legal position as a Permanent Constitution, suddenly the drafting of the Permanent Constitution was pressed. Generally speaking the average life of each new system has been less than six months, after which a new system quite contrary to the last succeeded it. Thus the whole country has been at a loss to know where it stood and how to act; and thus the dignity and credit of the Government in the eyes of the people have been lowered down to the dust.

Criticism of Yang Tu

A copy of Yang Tu's pamphlet, "Constitutional Monarchy or the Salvation of China" reached me after I had finished writing the above discussion. . . . Who would have thought that a man, who cares not for the question of the form of state like myself and who opposed you—Mr. Yang Tu—during your first campaign for the change in the form of State—you were a Republican then—would be opposing you again now that you are engaged in advocating another change in the form of state? A change in the form of government

is a manifestation of progress while a change in the status of the State is a sign of revolution. The path of progress leads to further progress, but the path of revolution leads to more revolution. This is a fact proved by theory as well as actual experience. Therefore a man who has any love for his country, is afraid to mention revolution; and as for myself I am always opposed to revolution. I am now opposing your theory of monarchical revolution, just as I once opposed your theory of republican revolution, in the same spirit, and I am doing the same duty. My belief is that since the country is now in a most weakened state, we may yet fail even if we do all we can at all times to nurse its wound and gather up its scattered strength. How can any one devote his time and energy to the discussion of a question of no importance such as the form of state, and so obstruct the progress of the administration? . . .

. . . Once I wrote a piece of poetry containing the following lines:

"Ten years after you will think of me,
The country is excited. To whom shall I speak?"

I have spoken much in my life, and all my words have become subjects for meditation ten years after they were uttered. Never, however, have any of my words attracted the attention of my own countrymen before a decade has spent itself. Is it a misfortune for my words or a misfortune to the Country? My hope is that there will be no occasion for the country to think of my present words ten years hence.

During the years 1913–1919, the American Minister to China was Dr. Paul S. Reinsch (1870–1923) for many years a student of Far Eastern affairs. The account of his ministry, *An American Diplomat in China*, published in 1922, has in it material of considerable interest and importance to the student of Far Eastern relations during the period of the World War. From it is taken the accompanying selection, describing Yuan and the monarchical movement.

**410. Minister Reinsch's account of the monarchical movement**

With President Yuan Shih-kai I had a long interview on October 4th. He assumed complete indifference as to the popular vote soon to be taken. "If the vote is favourable to the existing system," he said, "matters will simply remain as they are; a vote for the monarchy would, on the contrary, bring up many questions of organization. I favour

a representative parliament, with full liberty of discussion but with limited powers over finance.". . .

It was plain that Yuan Shih-kai, while seeming very detached, was trying to justify the proposed change on the ground of making the Government more efficient and giving it also a representative character.

Doubtless Yuan Shih-kai had thought originally that the Japanese would not obstruct the movement, though ever since the time of his service in Korea he had not been favourably regarded by them. His supporters, indeed, claimed that the assurances first given to Yuan by the Japanese were strong enough to warrant him in expecting their support throughout. By the end of October, however, the Japanese Government came to the conclusion that the project to put Yuan Shih-kai on the throne should, if possible, be stopped.

A communication came from Japan to the United States, Great Britain, France, and Russia, which expressed concern because the monarchical movement in China was likely to create disturbances and endanger foreign interests. Japan invited the other powers to join in advising the Chinese President against continuing this policy. The American Government declined this invitation, because it did not desire to interfere in the internal affairs of another country. The other powers, however, fell in with the Japanese suggestion, and on October 29th the Japanese Chargé, and the British, French, and Russian ministers, called at the Foreign Office and individually gave "friendly counsel" to the effect that it would be desirable to stop the monarchical movement.

The British minister asked whether the Minister for Foreign Affairs thought disturbances could surely be prevented; whereat the Chinese rejoiced, believing it a friendly hint that everything would be well, provided no disturbances should take place. As the machinery for holding the elections had been set in motion, the Chinese leaders believed that any action to stop them would bring discredit and loss of prestige.

The final voting in the convention of district delegates at Peking, on December 9th, registered a unanimous desire from the elections of November 5th to have Yuan Shih-kai assume the imperial dignity. . . . On the basis of these elections, the acting Parliament passed a resolution bestowing on Yuan Shih-kai the imperial title, and calling upon him to take up the duties therewith connected. He twice rejected the proposal, but when it was sent to him the third time he submitted, having exhausted the traditional forms of polite refusal.

When Yuan was actually elected Emperor, the Entente Powers were puzzled. They announced that they would await developments. The Chinese Minister for Foreign Affairs informed them that there would be some delay, as many preparations were still required before the promulgation of the empire could be made. But it was generally believed that the movement had reached fruition. The Russian and French ministers had already expressed themselves privately as favourable to recognition. The German and Austrian ministers hastened to offer Yuan their felicitations, which embarrassed the Chinese not a little. The majority of foreign representatives at Peking were favourable to recognizing the new order on January 1st, when the promulgation was to be made. Messages of devotion and sometimes of fulsome praise came to the Emperor-elect (already called Ta Huang Ti) from foreigners. Foreign advisers, including the Japanese but not the Americans, set forth their devotion in glowing phrases. Doctor Ariga, the Japanese adviser, expressed his feelings in the traditional language of imperial ceremony. . . .

Opposition to the monarchy

Suddenly on Christmas Day, came the report that an opposition movement had been started in Yunnan Province.

A young general, Tsai Ao, who had for a time lived in Peking where he held an administrative post, had left the capital during the summer and had coöperated with Liang Chi-chao, after the latter resigned his position as Minister of Education. Liang Chi-chao attacked the monarchical movement in the press, writing from the foreign concession at Tientsin. General Tsai Ao returned to his native Yunnan, and from that mountain fastness launched a military expedition which was opposed to the Emperor-elect.

So the dead unanimity was suddenly disrupted. Now voices of opposition came from all sides. The Chinese are fatalists. The movement to carry Yuan into imperial power had seemed to them irresistible; many had therefore suppressed their doubts and fears. But when an open opposition was started they flocked to the new standard and everywhere there appeared dissenters. . . .

Meanwhile, with foresight and astuteness, General Tsai Ao and Liang Chi-chao were planning their movement against Yuan. By establishing the first independent government in the remote province of Yunnan they made sure that Yuan Shih-kai would be unable to vindicate his authority over all China at an early time. With Yunnan as starting point, it was hoped that the provinces of Kweichow, Kuangsi, and Szechuan could be induced to associate themselves with the anti-monarchist movement. Though Canton had a large

garrison of Yuan's troops, it was hoped that inroads would be made even there.

Everybody thought that the monarchy was to be proclaimed on New Year's Day, 1916. Disaffection, it was realized, though hitherto confined to a remote province, might spread; delay was dangerous. Business in the Yangtse Valley and elsewhere was dull. Merchants blamed the Central Government, and murmurings were heard. General Feng Kuo-chang, who had at first encouraged Yuan Shih-kai, now reserved his independence of action. . . .

Yuan's mistake

If Yuan and his advisers had acted boldly at this time in promulgating the monarchy, recognition by a number of powers would probably have followed, especially as the continuity of the personnel of the Government made recognition easier. But hesitation and delay strengthened the opposition. Yunnanese troops had by the end of January penetrated into the neighbouring provinces of Szechuan and Kuangsi. . . . Efforts of the generals loyal to Yuan to expel the Yunnanese from Szechuan Province were unsuccessful. . . . Encouraged by the open opposition, ill-will against Yuan Shih-kai began to be shown in other localities, particularly in Hunan and in the southernmost provinces, Kuangsi and Kuangtung. Rivalries hitherto held in check by Yuan's strong hand also came to the fore. In central China the two men holding the greatest military power, Generals Feng Kuo-chang and Chang Hsun, began to cherish resentment against the President; for, in exchanging notes upon meeting, they discovered that Yuan had set each of them to watch the other.

Even now the monarchical movement might have gained strength from the moderates, who feared the Japanese. They did not wish to see the national unity disrupted. "Get a constitution and a representative legislature," they advised Yuan Shih-kai; "put in play a constructive programme of state action; reform the finances and the audit, simplify the taxes, extend works of public use, build roads, reclaim lands, develop agriculture and industry, and all might yet be well."

The Yünnan Rebellion and the work of General Tsai Ao were discussed briefly in the preceding selection. The provinces of Kweichow, Kwangsi, and parts of Szechwan shortly joined Yünnan. In the face of this rebellion and of the danger of its becoming more widespread Yuan Shih-kai hesitated to continue with his plans for the enthronement, although the title of emperor had been substituted for that of president, and the reign title,

Hung Hsien (Great Constitutional Era), had been chosen. At length, on February 23, 1916, Yuan issued a mandate indefinitely postponing the enthronement. Finally, on March 22, he issued a decree canceling the empire. By these orders he attempted to placate his numerous enemies.

411. Decree canceling the empire, March 22, 1916

. . . A perusal of our history of several thousand years will reveal in vivid manner the sad fate of the descendants of ancient kings and emperors. What then could have prompted me to aspire to the Throne? Yet while the representatives of the people were unwilling to believe in the sincerity of my refusal of the offer, a section of the people appear to have suspected me of harbouring the desire of gaining more power and privileges. Such difference in thought has resulted in the creation of an exceedingly dangerous situation. As my sincerity has not been such as to win the hearts of the people and my judgement has not been sound enough to appraise every man, I have myself alone to blame for lack of virtue. Why then should I blame others? The people have been thrown into misery and my soldiers have been made to bear hardships; and further the people have been cast into panic and commerce has rapidly declined. When I search my own heart a measure of sorrow fills it. I shall, therefore, not be unwilling to suppress myself in order to yield to others.

I am still of the opinion that the "designation petitions" submitted through the Tsan Cheng Yuan are unsuited to the demands of the time; and the official acceptance of the Imperial Throne made on the 11th day of the 12th month of last year (11th December, 1915) is hereby cancelled. The "designation petitions" of the Provinces and of the Special Administrative Areas are hereby all returned through the State Department to the Tsan Cheng Yuan, i. e., the acting Li Fa Yuan (Parliament), to be forwarded to the petitioners for destruction; and all the preparations connected therewith are to cease at once. In this wise I hope to imitate the sincerity of the Ancients by taking on myself all the blame so that my action may fall in line with the spirit of humanity which is the expression of the will of Heaven. I now cleanse my heart and wash my thoughts to the end that trouble may be averted and the people may have peace. Those who advocated the monarchical system were prompted by the desire to strengthen the foundation of the country; but as their methods have proved unsuitable their patriotism might harm the country. Those who have opposed the monarchy have done so out of their desire to express their political views. It may be

therefore presumed that they would not go to the extreme and so endanger the country. They should, therefore, all hearken to the voice of their own conscience and sacrifice their prejudices, and with one mind and one purpose unite in the effort of saving the situation so that the glorious descendants of the Sacred Continent may be spared the horrors of internal warfare and the bad omens may be changed into lucky signs.

In brief I now confess that all the faults of the country are the result of my own faults. Now that the acceptance of the Imperial Throne has been cancelled every man will be responsible for his own action if he further disturbs the peace of the locality and thus give an opportunity to others. I, the Great President, being charged with the duty of ruling over the whole country, cannot remain idle while the country is racing to perdition. At the present moment the homesteads are in misery, discipline has been disregarded, administration is being neglected and real talents have not been given a chance. When I think of such conditions I awake in the darkness of midnight. How can we stand as a nation if such a state of affairs is allowed to continue? Hereafter all officials should thoroughly get rid of their corrupt habits and endeavour to achieve merits. They should work with might and main in their duties, whether in introducing reforms or in abolishing old corruptions. Let all be not satisfied with empty words and entertain no bias regarding any affair. They should hold up as their main principle of administration the policy that only reality will count and deal out reward or punishment with strict promptness. Let all our generals, officials, soldiers and people all, all, act in accordance with this ideal.

The international aspects of the monarchy movement, and certain fundamental reasons for its failure are discriminatingly set forth by Mr. J. O. P. Bland, a long-time student of Oriental history and politics, from whose studies we have had several selections earlier.

412. Reasons for Yuan's failure

Yuan Shih-ka'i's subsequent attempt to restore the monarchical system of government in his own person merely carried his openly-avowed principles to their most natural conclusion. Neither by his actions nor by his utterances had he ever definitely abandoned those principles or modified his profound distrust of "changes which run counter to immemorial custom." Had the question of the monarchy been solved along the lines of classical tradition, as a matter of

internal politics, it can hardly be doubted that Yuan, as Emperor, would have succeeded in establishing his effective authority to the general satisfaction and benefit of the Chinese people. Apart from the opposition of the Kuo-Min tang faction led by Sun Yat-sen—nationally speaking, not so important a factor in the situation as some foreign observers were led to believe—everything pointed to the probability that the nation, if left to itself, would have welcomed the restoration of the Monarchy, if only because the masses had come to associate the Republican doctrine with bloodshed and brigandage. The ruling class, the mandarin hierarchy, were clearly in sympathy with the restoration of the monarchical form of government.

But the question was not destined to be settled as a matter of internal politics. The plans of Yuan Shih-k'ai and his supporters failed to realise the dangers of foreign intervention, and particularly the interest evoked in Japan by any important change in China's affairs. The President's methods and mandates during the year preceding his acceptance of the Throne afford striking proof of his profound knowledge of his countrymen, but they revealed also his inability to appreciate the international situation. . . .

Japanese diplomacy

Yuan Shih-k'ai's diplomacy had brought him thus far fairly successfully through a difficult situation; but his usual astuteness was lacking when he failed to draw . . . the obvious conclusion that, in the matter of his personal ambitions to found a new dynasty, he would have to reckon seriously with the Japanese Government. He had never been *persona grata* in Japan since the days when, as Li Hung Chang's lieutenant and Resident in Korea, he had opposed Japanese policy and supported that of Russia; he might well have foreseen that the Government at Tokyo would discourage any attempt on his part to establish himself upon the Throne of China. . . .

In due course, on October 30, the expected happened. The Japanese Minister at Peking, accompanied by his British and Russian colleagues, called at the Chinese Foreign Office and offered friendly advice on behalf of his Government against the restoration of the monarchical system. . . . Yuan Shih-k'ai's attitude at this juncture plainly intimated his conviction that the danger of foreign intervention in China's domestic affairs would not be increased or diminished by any change in the form of the Government. He believed, indeed, that the pre-occupation of the European Powers in the war had greatly lessened the chance of such intervention, and he evidently under-estimated the risk of serious opposition being organised against him in China. As regards Japan, he appears to have thought that active

intervention from that quarter would strengthen his hands and gain for him the support of patriotic opinion, even among the Young China revolutionaries. In deference to further representations from the Japanese Minister and his colleagues, he directed the Minister for Foreign Affairs to state that the Government was in a position to deal with opposition in China, but that it must depend on the good offices of foreign Governments to control revolutionaries domiciled outside its jurisdiction—an unmistakable reference to the support given in Japan to Sun Yat-sen, Huang Hsing, and other political agitators. Here again Yuan's courage was greater than his wisdom; for his experience during the revolution of 1911 and on many other occasions should have reminded him that revolutions in China are rather a matter of money than of political ideals, and that a handful of energetic men, provided with sufficient dollars, could get the rabble army of any province to move in any and every direction. . . .

## *Section 72. Relations with Japan, 1915: The Twenty-one Demands*

When the European War broke out in the summer of 1914, China declared her neutrality by presidential mandate of August 6. The facts that Germany held Kiaochow in Shantung, that Japan had not forgotten the part played by Germany after the China-Japan War in helping to cause Japan to withdraw from the Liaotung peninsula, that Japan also had certain aspirations in relation to her position on the continent of Asia, and finally that Japan was in alliance with England, led Japan to issue an ultimatum to the German government on August 15. Germany was ordered to withdraw all her vessels from Japanese and Chinese waters, and to deliver, within one month, "without condition or compensation, the entire leased territory of Kiaochow with a view to the eventual restoration of the same to China." Germany did not reply to this ultimatum, and on the twenty-third Japan declared war; on November 7, the German garrison at Tsingtau capitulated. Realizing that

the siege of Tsingtau would violate her territory China issued, on September 3, a circular note announcing an area of qualified neutrality in Shantung.

After Kiaochow fell, the Chinese government announced to the Japanese the abolition of the war zone arranged for on September 3. This caused a great amount of criticism of China in the Japanese press, some even going so far as to maintain that China had "insulted" Japan. A few weeks later than this the Twenty-one Demands were presented. Although it might be supposed that these demands were a result of the above-mentioned disagreement the memorandum of the Black Dragon Society, parts of which are given here, seems to show that Japan's action was the result of a carefully thought out plan, inasmuch as many of the suggestions here made were later carried out.

## THE BLACK DRAGON MEMORANDUM

413. The memorandum of the Black Dragon Society

### PART I. THE EUROPEAN WAR AND THE CHINESE QUESTION

The present gigantic struggle in Europe has no parallel in history. Not only will the equilibrium of Europe be affected and its effect felt all over the globe, but its results will create a New Era in the political and social world. Therefore, whether or not the Imperial Japanese Government can settle the Far Eastern Question and bring to realization our great Imperial policy depends on our being able to skilfully avail ourselves of the world's general trend of affairs so as to extend our influence and to decide upon a course of action towards China which shall be practical in execution. If our authorities and people view the present European War with indifference and without deep concern, merely devoting their attention to the attack on Kiaochow, neglecting the larger issues of the war, they will have brought to naught our great Imperial policy, and committed a blunder greater than which it can not be conceived. We are constrained to submit this statement of policy for the consideration of our authorities, not because we are fond of argument but because we are deeply anxious for our national welfare. . . .

Whether this combined action on the part of England, France and Russia is to terminate at the end of the war

or to continue to operate, we can not now predict. But after peace in Europe is restored, these Powers will certainly turn their attention to the expansion of their several spheres of interest in China, and, in the adjustment, their interests will most likely conflict with one another. If their interests do not conflict, they will work jointly to solve the Chinese Question. On this point we have not the least doubt. If England, France and Russia are actually to combine for the coercion of China, what course is to be adopted by the Imperial Japanese Government to meet the situation? What proper means shall we employ to maintain our influence and extend our interests within this ring of rivalry and competition? It is necessary that we bear in mind the final results of the European War and forestall the trend of events succeeding it so as to be able to decide upon a policy towards China and determine the action to be ultimately taken. If we remain passive, the Imperial Japanese Government's policy towards China will lose that subjective influence and our diplomacy will be checked forever by the combined force of the other Powers. The peace of the Far East will be thus endangered and even the existence of the Japanese Empire as a nation will no doubt be imperiled. It is therefore our first important duty at this moment to enquire of our Government what course is to be adopted to face that general situation after the war. What preparations are being made to meet the combined pressure of the Allies upon China? What policy has been followed to solve the Chinese Question? When the European War is terminated and peace restored we are not concerned so much with the question whether it be the Dual Monarchies or the Triple Entente which emerge victorious, but whether, in anticipation of the future expansion of European influence in the Continents of Europe and Asia, the Imperial Japanese Government should or should not hesitate to employ force to check the movement before this occurrence. Now is the most opportune moment for Japan to quickly solve the Chinese Question. Such an opportunity will not occur for hundreds of years to come. Not only is it Japan's divine duty to act now, but present conditions in China favour the execution of such a plan. We should by all means decide and act at once. If our authorities do not avail themselves of this rare opportunity, great difficulty will surely be encountered in future in the settlement of this Chinese question. Japan will be isolated from the European Powers after the war, and will be regarded by them with envy and jealousy just as Germany is now regarded. Is it not then a vital necessity for Japan to solve at this very moment the Chinese Question?

## PART II. THE CHINESE QUESTION AND THE DEFENSIVE ALLIANCE

It is a very important matter of policy whether the Japanese Government, in obedience to its divine mission, shall solve the Chinese Question in a heroic manner by making China voluntarily rely upon Japan. To force China to such a position there is nothing else for the Imperial Japanese Government to do but to take advantage of the present opportunity to seize the reins of political and financial power and to enter by all means into a defensive alliance with her under secret terms as enumerated below:

### *The Secret Terms of the Defensive Alliance*

The Imperial Japanese Government, with due respect for the Sovereignty and Integrity of China and with the object and hope of maintaining the peace of the Far East, undertakes to share the responsibility of coöperating with China to guard her against internal trouble and foreign invasion and China shall accord to Japan special facilities in the matter of China's National Defence, or the protection of Japan's special rights and privileges and for these objects the following treaty of Alliance is to be entered into between the two contracting parties:

1. When there is internal trouble in China or when she is at war with another nation or nations, Japan shall send her army to render assistance, to assume the responsibility of guarding Chinese territory and to maintain peace and order in China.

2. China agrees to recognize Japan's privileged position in South Manchuria and Inner Mongolia and to cede the sovereign rights of these regions to Japan to enable her to carry out a scheme of local defence on a permanent basis.

3. After the Japanese occupation of Kiaochow, Japan shall acquire all the rights and privileges heretofore enjoyed by the Germans in regard to railways, mines and all other interests, and after peace and order is restored in Tsingtao, the place shall be handed back to China to be opened as an International Treaty port.

4. For the maritime defence of China and Japan, China shall lease strategic harbours along the coast of the Fukien province to Japan to be converted into naval bases and grant to Japan in the said province all railway and mining rights.

5. For the reorganization of the Chinese army China shall entrust the training and drilling of the army to Japan.

6. For the unification of China's firearms and munitions of war, China shall adopt firearms of Japanese pattern, and at the same time establish arsenals (with the help of Japan) in different strategic points.

7. With the object of creating and maintaining a Chinese Navy, China shall entrust the training of her navy to Japan.

8. With the object of reorganizing her finances and improving the methods of taxation, China shall entrust the work to Japan, and the latter shall elect competent financial experts who shall act as first-class advisers to the Chinese Government.

9. China shall engage Japanese educational experts as educational advisers and extensively establish schools in different parts of the country to teach Japanese so as to raise the educational standard of the country.

10. China shall first consult with and obtain the consent of Japan before she can enter into an agreement with another Power for making loans, the leasing of territory, or the cession of the same.

From the date of the signing of this Defensive Alliance, Japan and China shall work together hand-in-hand. Japan will assume the responsibility of safeguarding Chinese territory and maintaining the peace and order in China. This will relieve China of all future anxieties and enable her to proceed energetically with her reforms, and, with a sense of territorial security, she may wait for her national development and regeneration. Even after the present European War is over and peace is restored China will absolutely have nothing to fear in the future of having pressure brought against her by the foreign powers. It is only thus that permanent peace can be secured in the Far East.

But before concluding this Defensive Alliance, two points must first be ascertained and settled. (1) Its bearing on the Chinese Government. (2) Its bearing on those Powers having intimate relations with, and great interests in, China.

In considering its effect on the Chinese Government, Japan must try to foresee whether the position of China's present ruler Yuan Shih-kai shall be permanent or not; whether the present Government's policy will enjoy the confidence of a large section of the Chinese people; whether Yuan Shih-kai will readily agree to the Japanese Government's proposal to enter into a treaty of alliance with us. These are points to which we are bound to give a thorough consideration. Judging by the attitude hitherto adopted by Yuan Shih-kai we know he has always resorted to the policy of expediency in his diplomatic dealings, and although he may outwardly show friendliness towards us, he will in

fact rely upon the influence of the different Powers as the easiest check against us and refuse to accede to our demands. Take for a single instance, his conduct towards us since the Imperial Government declared war against Germany and his action will then be clear to all. Whether we can rely upon the ordinary friendly methods of diplomacy to gain our object or not it does not require much wisdom to decide. After the gigantic struggle in Europe is over, leaving aside America, which will not press for advantage, China will not be able to obtain any loans from the other Powers. With a depleted treasury, without means to pay the officials and the army, with local bandits inciting the poverty-stricken populace to trouble, with the revolutionists waiting for opportunities to rise, should an insurrection actually occur while no outside assistance can be rendered to quell it we are certain it will be impossible for Yuan Shih-kai, single-handed, to restore order and consolidate the country. The result will be that the nation will be cut up into many parts beyond all hope of remedy. That this state of affairs will come is not difficult to foresee. When this occurs, shall we uphold Yuan's Government and assist him to suppress the internal insurrection with the certain assurance that we could influence him to agree to our demands, or shall we help the revolutionists to achieve a success and realize our object through them? This question must be definitely decided upon this very moment so that we may put it into practical execution. If we do not look into the future fate of China but go blindly to uphold Yuan's Government, to enter into a Defensive Alliance with China, hoping thus to secure a complete realization of our object by assisting him to suppress the revolutionists, it is obviously a wrong policy. Why? Because the majority of the Chinese people have lost all faith in the tottering Yuan Shih-kai who is discredited and attacked by the whole nation for having sold his country. If Japan gives Yuan the support, his Government, though in a very precarious state, may possibly avoid destruction. Yuan Shih-kai belongs to that school of politicians who are fond of employing craftiness and cunning. He may be friendly to us for a time, but he will certainly abandon us and again befriend the other Powers when the European war is at an end. Judging by his past we have no doubt as to what he will do in the future. For Japan to ignore the general sentiment of the Chinese people and support Yuan Shih-kai with the hope that we can settle with him the Chinese Question is a blunder indeed. Therefore, in order to secure the permanent peace of the Far East, instead of supporting a Chinese Government which can neither be long continued in power nor assist in the attainment of our object, we should rather

support the 400,000,000 Chinese people to renovate their corrupt Government, to change its present form, to maintain peace and order in the land and to usher into China a new era of prosperity so that China and Japan may in fact as well as in name be brought into the most intimate and vital relations with each other. China's era of prosperity is based on the China-Japanese Alliance and this Alliance is the foundational power for the repelling of the foreign aggression that is to be directed against the Far East at the conclusion of the European War. This Alliance is also the foundation-stone of the peace of the world. Japan therefore should take this as the last warning and immediately solve this question. Since the Imperial Japanese Government has considered it imperative to support the Chinese people, we should induce the Chinese revolutionists, the Imperialists and other Chinese malcontents to create trouble all over China. The whole country will be thrown into disorder and Yuan's Government will consequently be overthrown. We shall then select a man from amongst the most influential and most noted of the 400,000,000 of Chinese and help him to organize a new form of Government and to consolidate the whole country. In the meantime our army must assist in the restoration of peace and order in the country, and in the protection of the lives and properties of the people, so that they may gladly tender their allegiance to the new Government which will then naturally confide in and rely upon Japan. It is after the accomplishment of only these things that we shall without difficulty gain our object by the conclusion of a Defensive Alliance with China.

For us to incite the Chinese revolutionists and malcontents to rise in China we consider the present to be the most opportune moment. The reason why these men can not now carry on an active campaign is because they are insufficently provided with funds. If the Imperial Government can take advantage of this fact to make them a loan and instruct them to rise simultaneously, great commotion and disorder will surely prevail all over China. We can intervene and easily adjust matters. . . .

We shall now consider the bearing of this Defensive Alliance on the other Powers. Needless to say, Japan and China will in no way impair the rights and interests already acquired by the Powers. At this moment it is of paramount importance for Japan to come to a special understanding with Russia to define our respective spheres in Manchuria and Mongolia so that the two countries may co-operate with each other in the future. This means that Japan after the acquisition of sovereign rights in South Manchuria and Inner Mongolia will work together with Russia after

her acquisition of sovereign rights in North Manchuria and Outer Mongolia to maintain the status quo, and endeavour by every effort to protect the peace of the Far East. Russia, since the outbreak of the European War, has not only laid aside all ill-feelings against Japan, but has adopted the same attitude as her Allies and shown warm friendship for us. No matter how we regard the Manchurian and Mongolian Questions in the future she is anxious that we find some way of settlement. Therefore we need not doubt but that Russia, in her attitude towards this Chinese Question, will be able to come to an understanding with us for mutual co-operation.

The British sphere of influence and interest in China is centred in Tibet and the Yangtze Valley. Therefore, if Japan can come to some satisfactory arrangement with China in regard to Tibet and also give certain privileges to Great Britain in the Yangtze Valley, with an assurance to protect those privileges, no matter how powerful Great Britain might be, she will surely not oppose Japan's policy in regard to this Chinese Question. While this present European War is going on Great Britain has never asked Japan to render her assistance. That her strength will certainly not enable her to oppose us in the future need not be doubted in the least.

Since Great Britain and Russia will not oppose Japan's policy towards China, it can readily be seen what attitude France will adopt in regard to the subject. What Japan must now somewhat reckon with is America. But America in her attitude towards us regarding our policy towards China has already declared the principle of maintaining China's territorial integrity and equal opportunity and will be satisfied, if we do not impair America's already acquired rights and privileges. We think America will also have no cause for complaint. Nevertheless America has in the East a naval force which can be fairly relied upon, though not sufficiently strong to be feared. Therefore in Japan's attitude towards America there is nothing really for us to be afraid of.

Since China's condition is such on the one hand and the Powers' relation towards China is such on the other hand, Japan should avail herself in the meantime of the European War to definitely decide upon a policy towards China, the most important move being the transformation of the Chinese Government to be followed up by preparing for the conclusion of the Defensive Alliance. The precipitate action on the part of our present Cabinet in acceding to the request of Great Britain to declare war against Germany without having definitely settled our policy towards

China has no real connection with our future negotiations with China or affects the political condition in the Far East. Consequently, all intelligent Japanese, of every walk of life throughout the land, are very deeply concerned about the matter.

Our Imperial Government should now definitely change our dependent foreign policy which is being directed by others into an independent foreign policy which shall direct others, proclaiming the same with solemn sincerity to the world and carrying it out with determination. If we do so, even the gods and spirits will give way. These are important points in our policy towards China and the result depends on how we carry them out. Can our authorities firmly make up their mind to solve this Chinese Question by the actual carrying out of this fundamental principle? If they show irresolution while we have this heaven-conferred chance and merely depend on the good will of the other Powers, we shall eventually have greater pressure to be brought against the Far East after the European War is over, when the present equilibrium will be destroyed. That day will then be too late for us to repent our folly. We are therefore impelled by force of circumstances to urge our authorities to a quicker sense of the situation and to come to a determination.

On the night of January 18, 1915, the Japanese Minister, Mr. Hioki Eki, in a private interview with President Yuan, presented the Twenty-one Demands. Not only were the Demands unprecedented in their nature, being, as the Chinese government pointed out, such as might be presented by a military conqueror to its victim, but the method of presentation itself was in disregard of diplomatic usage. The demands should have been presented to the Minister of Foreign Affairs, not to the chief executive. The fact that the paper on which the Demands were written was watermarked with dreadnoughts and machine guns was felt by the Chinese to be of peculiar significance.

In presenting the Demands, Minister Hioki made various veiled threats to President Yuan concerning the

perilous position of the latter at that time. Above all, it was impressed upon him that the whole affair must be kept absolutely secret. It was not possible, however, to keep such matters from the legation quarters nor from the newspaper correspondents. On January 22, Minister Reinsch learned the real nature of the Japanese Demands. By the twenty-fifth they were generally known among the foreign diplomats in Peking and were being discussed in the daily papers in China. The Japanese ambassador in Washington, on the twenty-seventh, denied the truth of the reports coming from China in reference to the Demands; consequently, for two weeks, the press of England and of the United States published no reports of the Twenty-one Demands. Having first categorically denied that demands were being made at Peking, the Japanese government, on February 14, furnished a statement to foreign governments purporting to contain the demands made upon the Chinese government. In this, eleven demands, instead of twenty-one, were enumerated. Says Minister Reinsch, in reference to the final publishing of the Demands: "As late as February 19, the State Department informed me that it inferred that the demands under Group V were not being urged. The full text of the actual demands as originally made had now been communicated to the various foreign offices; but because of the discrepancy between the two statements, they were inclined to believe that Japan was not really urging the articles of Gruop V."*

In the negotiations which followed, China was represented by the Minister for Foreign Affairs, Mr. Lu Tseng-tsiang, and the vice minister, Mr. Tsao Ju-lin.

* P. S. Reinsch, *An American Diplomat in China* (Garden City, N. Y., and Toronto, 1922), p. 136.

Japan was represented by Minister Hioki Eki, and Mr. Obata, Counsellor to the Chinese Legation.

414. The original Japanese Demands

*18th January 1915.*

I.

The Japanese Government and the Chinese Government, being desirous of maintaining the general peace in Eastern Asia and further strenthening the friendly relations and good neighbourhood existing between the two nations, agree to the following articles:—

ARTICLE 1.—The Chinese Government engages to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests and concessions, which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung.

ARTICLE 2.—The Chinese Government engages that within the Province of Shantung and along its coast no territory or island will be ceded or leased to a third Power under any pretext.

ARTICLE 3.—The Chinese Government consents to Japan's building a railway from Chefoo or Lungkow to join the Kiaochow-Tsinanfu Railway.

ARTICLE 4.—The Chinese Government engages, in the interest of trade and for the residence of foreigners, to open by herself as soon as possible certain important cities and towns in the Province of Shantung as Commercial Ports. What places shall be opened is to be jointly decided upon in a separate agreement.

II

The Japanese Government and the Chinese Government, since the Chinese Government has always acknowledged the special position enjoyed by Japan in South Manchuria and Eastern Inner Mongolia, agree to the following articles:—

ARTICLE 1.—The two Contracting Parties mutually agree that the term of lease of Port Arthur and Dalny and the term of lease of the South Manchurian Railway and the Antung-Mukden Railway shall be extended to the period of 99 years.

ARTICLE 2.—Japanese subjects in South Manchuria and Eastern Inner Mongolia shall have the right to lease or own land required either for erecting suitable buildings for trade and manufacture or for farming.

ARTICLE 3.—Japanese subjects shall be free to reside and travel in South Manchuria and Eastern Inner Mongolia

and to engage in business and in manufacture of any kind whatsoever.

ARTICLE 4.—The Chinese Government agrees to grant to Japanese subjects the right of opening the mines in South Manchuria. As regards what mines are to be opened, they shall be decided upon jointly.

ARTICLE 5.—The Chinese Government agrees that in respect of the (two) cases mentioned hereinbelow the Japanese Government's consent shall be first obtained before action is taken:—

(*a*) Whenever permission is granted to the subject of a third Power to build a railway or to make a loan with a third Power for the purpose of building a railway in South Manchuria and Eastern Inner Mongolia.

(*b*) Whenever a loan is to be made with a third Power pledging the local taxes of South Manchuria and Eastern Inner Mongolia as security.

ARTICLE 6.—The Chinese Government agrees that if the Chinese Government employs political, financial or military advisors or instructors in South Manchuria or Eastern Inner Mongolia, the Japanese Government shall first be consulted.

ARTICLE 7.—The Chinese Government agrees that the control and management of the Kirin-Changchun Railway shall be handed over to the Japanese Government for a term of 99 years dating from the signing of this Agreement.

## III.

The Japanese Government and the Chinese Government, seeing that Japanese financiers and the Hanyehping Company have close relations with each other at present and desiring that the common interests of the two nations shall be advanced, agree to the following articles:—

ARTICLE 1.—The two Contracting Parties mutually agree that when the opportune moment arrives the Hanyehping Company shall be made a joint concern of the two nations and they further agree that without the previous consent of Japan, China shall not by her own act dispose of the rights and property of whatsoever nature of the said Company nor cause the said Company to dispose freely of the same.

ARTICLE 2.—The Chinese Government agrees that no mines in the neighbourhood of those owned by the Hanyehping Company shall be permitted, without the consent of the said Company, to be worked by other persons outside of the said Company; and further agrees that if it is desired to carry out any undertaking which, it is apprehended, may

directly or indirectly affect the interests of the said Company, the consent of the said Company shall first be obtained.

## IV.

The Japanese Government and the Chinese Government with the object of effectively preserving the territorial integrity of China agree to the following special article:—

The Chinese Government engages not to cede or lease to a third Power any harbour or bay or island along the coast of China.

## V.

ARTICLE 1.—The Chinese Central Government shall employ influential Japanese as advisors in political, financial and military affairs.

ARTICLE 2.—Japanese hospitals, churches and schools in the interior of China shall be granted the right of owning land.

ARTICLE 3.—Inasmuch as the Japanese Government and the Chinese Government have had many cases of dispute between Japanese and Chinese police to settle, cases which caused no little misunderstanding, it is for this reason necessary that the police departments of important places (in China) shall be jointly administered by Japanese and Chinese or that the police departments of these places shall employ numerous Japanese, so that they may at the same time help to plan for the improvement of the Chinese Police Service.

ARTICLE 4.—China shall purchase from Japan a fixed amount of munitions of war (say 50% or more of what is needed by the Chinese Government) or that there shall be established in China a Sino-Japanese jointly worked arsenal. Japanese technical experts are to be employed and Japanese material to be purchased.

ARTICLE 5.—China agrees to grant to Japan the right of constructing a railway connecting Wuchang with Kiukiang and Nanchang, another line between Nanchang and Hangchow, and another between Nanchang and Chaochow.

ARTICLE 6.—If China needs foreign capital to work mines, build railways and construct harbour-works (including dockyards) in the Province of Fukien, Japan shall be first consulted.

ARTICLE 7.—China agrees that Japanese subjects shall have the right of missionary propaganda* in China.

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* Or, of propagating Buddhism.

I.—In Relation to the Province of Shantung.

1.—Engagement on the part of China to consent to all matters that may be agreed upon between Japan and Germany with regard to the disposition of all rights, interests and concessions, which in virtue of treaties or otherwise Germany possesses in relation to the Province of Shantung.

2.—Engagement not to alienate or lease upon any pretext the Province of Shantung or any portion thereof and any island lying near the coast of the said province.

3.—Grant to Japan the right of construction of a railway connecting Chifu or Lungkow and the Tsinan-Kiaochou Railway.

4.—Addition of open marts in the Province of Shantung.

415A The incorrect version of Japan's Demands as communicated on February 14 by the Japanese government to the other powers in response to their inquiries

II.—In Relation to South Manchuria and Eastern Inner Mongolia.

1.—Extension of the terms of the lease of Kwangtung, the South Manchuria Railway, and the Antung-Mukden Railway.

2.—(A). Acquisition by the Japanese of the right of residence and ownership of land.

(B). Grant to Japan of the mining rights of mines specified by Japan.

3.—Obligation on the part of China to obtain in advance the consent of Japan if she grants railway concessions to any third Power, or procures the supply of capital from any Power for railway construction or a loan from any other Power on the security of any duties or taxes.

4.—Obligation on the part of China to consult Japan before employing advisers or tutors regarding political, financial or military matters.

5.—Transfer of the management and control of the Kirin-Changchun Railway to Japan.

III.—Agreement in principle that, at an opportune moment in the future, the Hanyehping Company should be placed under Japanese and Chinese co-operation.

IV.—Engagement in accordance with the principle of the maintenance of the territorial integrity of China, not to alienate or lease any ports and bays on, or any island near, the coast of China.

416. The Revised Japanese Demands

*26th April 1915.*

The revised list of articles is a Chinese translation of the Japanese text. It is hereby declared that when a final decision is reached, there shall be a revision of the wording of the text.

GROUP I.

The Japanese Government and the Chinese Government, being desirous of maintaining the general peace in Eastern Asia and further strengthening the friendly relations and good neighbourhood existing between the two nations, agree to the following articles:—

ARTICLE 1.—The Chinese Government engages to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government, relating to the disposition of all rights, interests and concessions, which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung.

ARTICLE 2.—(Changed into an exchange of notes.) The Chinese Government declares that within the Province of Shantung and along its coast no territory or island will be ceded or leased to any Power under any pretext.

ARTICLE 3.—The Chinese Government consents that as regards the railway to be built by China herself from Chefoo or Lungkow to connect with the Kiaochow-Tsinanfu Railway, if Germany is willing to abandon the privilege of financing the Chefoo-Weihsien line, China will approach Japanese capitalists to negotiate for a loan.

ARTICLE 4.—The Chinese Government engages, in the interest of trade and for the residence of foreigners, to open of its own accord as soon as possible certain suitable places in the Province of Shantung as Commercial Ports.

(Supplementary Exchange of Notes)

The places which ought to be opened are to be chosen, and the regulations are to be drafted, by the Chinese Government, but the Japanese Minister must be consulted before making a decision.

GROUP II.

The Japanese Government and the Chinese Government, with a view to developing their economic relations in South Manchuria and Eastern Inner Mongolia, agree to the following articles:—

ARTICLE 1.—The two Contracting Powers mutually agree that the term of lease of Port Arthur and Dalny and the terms of the South Manchurian Railway and the Antung-Mukden Railway, shall be extended to 99 years.

(Supplementary Exchange of Notes)

The term of lease of Port Arthur and Dalny shall expire in the 86th year of the Republic or A. D. 1997. The date for restoring the South Manchurian Railway to China shall fall due in the 91st year of the Republic or A. D. 2002. Article 12 in the original South Manchurian Railway Agreement that it may be redeemed by China after 36 years after the traffic is opened is hereby cancelled. The term of the Antung-Mukden Railway shall expire in the 96th year of the Republic or A. D. 2007.

ARTICLE 2.—Japanese subjects in South Manchuria may lease or purchase the necessary land for erecting suitable buildings for trade and manufacture or for prosecuting agricultural enterprises.

ARTICLE 3.—Japanese subjects shall be free to reside and travel in South Manchuria and to engage in business and manufacture of any kind whatsoever.

ARTICLE 3*a*.—The Japanese subjects referred to in the preceding two articles, besides being required to register with the local authorities passports which they must procure under the existing regulation, shall also submit to police laws and ordinances and tax regulations, which are approved by the Japanese consul. Civil and criminal cases in which the defendants are Japanese shall be tried and adjudicated by the Japanese consul; those in which the defendants are Chinese shall be tried and adjudicated by Chinese authorities. In either case an officer can be deputed to the court to attend the proceedings. But mixed civil cases between Chinese and Japanese relating to land shall be tried and adjudicated by delegates of both nations conjointly in accordance with Chinese law and local usage. When the judicial system in the said region is completely reformed, all civil and criminal cases concerning Japanese subjects shall be tried entirely by Chinese law courts.

ARTICLE 4.—(Changed to an exchange of notes.)

The Chinese Government agrees that Japanese subjects shall be permitted forthwith to investigate, select, and then prospect for and open mines at the following places in South Manchuria, apart from those mining areas in which mines are being prospected for or worked; until the Mining Ordinance is definitely settled methods at present in force shall be followed.

| Province of | Locality. | District. | Mineral. |
|---|---|---|---|
| Fengtien. | | | |
| | Niu Hsin T'ai..... | Pen-hsi ..... | Coal |
| | Tien Shih Fu Kou..... | Pen-hsi ..... | ,, |
| | Sha Sung Kang ..... | Hai-lung ..... | ,, |

| Province of | Locality. | District. | Mineral. |
|---|---|---|---|
| Fengtien | | | |
| | T'ieh Ch'ang | T'ung-hua | Coal |
| | Nuan Ti T'ang | Chin | „ |
| | An Shan Chan region | From Liao-yeng to Pen-hsi | Iron |
| Province of Kirin (southern portion) | | | |
| | Sha Sung Kang | Ho-lung | Coal and Iron. |
| | Kang Yao | Chi-lin (Kirin) | Coal. |
| | Chia P'i Kou | Hua-tien | Gold. |

ARTICLE 5.—(Changed to an exchange of notes.)

The Chinese Government declares that China will hereafter provide funds for building railways in South Manchuria; if foreign capital is required, the Chinese Government agrees to negotiate for a loan with Japanese capitalists first.

ARTICLE 5*a*.—(Changed to an exchange of notes.)

The Chinese Government agrees that hereafter, when a foreign loan is to be made on the security of the taxes of South Manchuria (not including customs and salt revenue on the security of which loans have already been made by the Chinese Government), it will negotiate for the loan with Japanese capitalists first.

ARTICLE 6.—(Changed to an exchange of notes.)

The Chinese Government declares that hereafter if foreign advisors or instructors on political, financial, military or police matters are to be employed in South Manchuria, Japanese will be employed first.

ARTICLE 7.—The Chinese Government agrees speedily to make a fundamental revision of the Kirin-Changchun Railway Loan Agreement, taking as a standard the provisions in railway loan agreements made heretofore between China and foreign financiers. If, in future, more advantageous terms than those in existing railway loan agreements are granted to foreign financiers in connexion with railway loans, the above agreement shall again be revised in accordance with Japan's wishes.

CHINESE COUNTER-PROPOSAL TO ARTICLE 7.

All existing treaties between China and Japan relating to Manchuria shall, except where otherwise provided for by this Convention, remain in force.

MATTERS RELATING TO EASTERN INNER MONGOLIA.

1.—The Chinese Government agrees that hereafter when a foreign loan is to be made on the security of the taxes of Eastern Inner Mongolia, China must negotiate with the Japanese Government first.

2.—The Chinese Government agrees that China will herself provide funds for building the railways in Eastern Inner Mongolia; if foreign capital is required, she must negotiate with the Japanese Government first.

3.—The Chinese Government agrees in the interest of trade and for the residence of foreigners, to open by China herself, as soon as possible, certain suitable places in Eastern Inner Mongolia as Commercial Ports. The places which ought to be opened are to be chosen, and the regulations are to be drafted, by the Chinese Government, but the Japanese Minister must be consulted before making a decision.

4.—In the event of Japanese and Chinese desiring jointly to undertake agricultural enterprises and industries incidental thereto, the Chinese Government shall give its permission.

GROUP III.

The relations between Japan and the Hanyehping Company being very intimate, if the interested party of the said Company comes to an agreement with Japanese capitalists for co-operation, the Chinese Government shall forthwith give its consent thereto. The Chinese Government further agrees that, without the consent of the Japanese capitalists, China will not convert the Company into a state enterprise, nor confiscate it, nor cause it to borrow and use foreign capital other than Japanese.

GROUP IV.

China to give a pronouncement by herself in accordance with the following principle:—

No bay, harbour, or island along the coast of China may be ceded or leased to any Power.

NOTES TO BE EXCHANGED.

A.

As regards the right of financing a railway from Wuchang to connect with the Kiukiang-Nanchang line, the Nanchang-Hangchow Railway and the Nanchang-Chaochow Railway, if it is clearly ascertained that other Powers have no objection, China shall grant the said right to Japan.

B.

As regards the right of financing a railway from Wuchang to connect with the Kiukiang-Nanchang Railway, a railway from Nanchang to Hangchow, and another from Nanchang to Chaochow, the Chinese Government shall not *grant* the said right to any *foreign Power* before Japan comes to an understanding with the other Power which is heretofore *interested* therein.

NOTES TO BE EXCHANGED.

The Chinese Government agrees that no nation whatever is to be permitted to construct on the coast of Fukien Province a dockyard, a coaling station for military use, or a naval base; nor to be authorized to set up any other military establishment. The Chinese Government further agrees not to use foreign capital for setting up the above-mentioned construction or establishment.

Mr. Lu, the Minister of Foreign Affairs, st ted as follows:—

1.—The Chinese Government shall, whenever in future it considers this step necessary, engage numerous Japanese advisors.

2.—Whenever, in future, Japanese subjects desire to lease or purchase land in the interior of China for establishing schools or hospitals, the Chinese Government shall forthwith give its consent thereto.

3.—When a suitable opportunity arises in future, the Chinese Government will send military officers to Japan to negotiate with Japanese military authorities the matter of purchasing arms or that of establishing a joint arsenal.

Mr. Hioki, the Japanese Minister, stated as follows:—

As relates to the question of the right of missionary propaganda, the same shall be taken up again for negotiation in future.

417. China's reply to Revised Demands

*1st May 1915.*

GROUP I.

The Chinese Government and the Japanese Government, being desirous of maintaining the general peace in Eastern Asia and further strengthening friendly relations and good neighbourhood existing between the two nations, agree to the following articles:—

ARTICLE I.—The Chinese Government declares that it will give full assent to all matters upon which the Japanese and German Governments may hereafter mutually agree, relating to the disposition of all interests which Germany, by virtue of treaties or recorded cases, possesses in relation to the Province of Shantung.

The Japanese Government declares that when the Chinese Government gives its assent to the disposition of interests above referred to, Japan will restore the leased territory of Kiaochow to China; and further recognize the right of the Chinese Government to participate in the negotiations referred to above between Japan and Germany.

ARTICLE 2.—The Japanese Government consents to be responsible for the indemnification of all losses occasioned by Japan's military operation around the leased territory of Kiaochow. The customs, telegraphs and post offices within the leased territory of Kiaochow shall, prior to the restoration of the said leased territory to China, be administered as heretofore for the time being. The railways and telegraph lines erected by Japan for military purposes are to be removed forthwith. The Japanese troops now stationed outside the original leased territory are to be withdrawn on the restoration of the said leased territory to China.

ARTICLE 3.—(Changed into an exchange of notes.)

The Chinese Government declares that within the Province of Shantung and along its coast no territory or island will be ceded or leased to any Power under any pretext.

ARTICLE 4.—The Chinese Government consents that as regards the railway to be built by China herself from Chefoo or Lungkow to connect with the Kiaochow-Tsinanfu Railway, if Germany is willing to abandon the privilege of financing the Chefoo-Weihsien line, China will approach Japanese capitalists for a loan.

ARTICLE 5.—The Chinese Government engages, in the interest of trade and for the residence of foreigners, to open by herself as soon as possible certain suitable places in the Province of Shantung as Commercial Ports.

(Supplementary Exchange of Notes.)

The places which ought to be opened are to be chosen, and the regulations are to be drafted, by the Chinese Government, but the Japanese Minister must be consulted before making a decision.

ARTICLE 6.—If the Japanese and German Governments are not able to come to a definite agreement in future in their negotiations respecting transfer, etc., this provisional agreement contained in the foregoing articles shall be void.

The six articles which are found in Japan's Revised Demands of 26th April, 1915, but omitted herein are those already initialled by the Chinese Foreign Minister and the Japanese Minister.

GROUP II.

The Chinese Government and the Japanese Government with a view to developing their economic relations in South Manchuria agree to the following articles:—

ARTICLE 2.—Japanese subjects in South Manchuria may, by arrangement with the owners, lease land required for erecting suitable buildings for trade and manufacture or for agricultural enterprises.

ARTICLE 3.—Japanese subjects shall be free to reside and travel and engage in business and manufacture of any kind whatsoever.

ARTICLE 3*a*.—The Japanese subjects referred to in the preceding two articles, besides being required to register with the local authorities passports, which they must procure under the existing regulations, shall also observe police rules and regulations and pay taxes in the same manner as Chinese. Civil and criminal cases shall be tried and adjudicated by the authorities of the defendant's nationality and an officer may be deputed to attend the proceedings. But all cases purely between Japanese subjects, and mixed cases between Japanese and Chinese, relating to land or disputes arising from lease contracts, shall be tried and adjudicated by Chinese authorities and the Japanese Consul may also depute an officer to attend the proceedings. When the judicial system in the said Province is completely reformed, all the civil and criminal cases concerning Japanese subjects shall be tried entirely by Chinese law courts.

RELATING TO EASTERN INNER MONGOLIA.

(To be exchanged by Notes.)

1.—The Chinese Government declares that China will not in future pledge the taxes, other than customs and salt revenue, of that part of Eastern Inner Mongolia under the jurisdiction of South Manchuria and Jehol Intendancy, as security for raising a foreign loan.

2.—The Chinese Government declares that China will herself provide funds for building the railways in that part of Eastern Inner Mongolia under the jurisdiction of South Manchuria and the Jehol Intendancy; if foreign capital is required, China will negotiate with Japanese capitalists first, provided this does not conflict with agreements already concluded with other Powers.

3.—The Chinese Government agrees, in the interest of trade and for the residence of foreigners, to open of its own accord certain suitable places in that part of Eastern Inner Mongolia under the jurisdiction of South Manchuria and the Jehol Intendancy, as Commercial Marts.

The regulations for the said Commercial Marts will be made in accordance with those of other Commercial Marts opened by China herself.

GROUP III.

The relations between Japan and the Hanyehping Company being very intimate, if the said Company comes to an agreement with the Japanese capitalists for co-operation,

the Chinese Government shall forthwith give its consent thereto. The Chinese Government further declares that China will not convert the Company into a state enterprise, nor confiscate it nor cause it to borrow and use foreign capital other than Japanese.

*Letter to be Addressed by the Japanese Minister to the Chinese Minister of Foreign Affairs.*

EXCELLENCY:—

I have the honour to state that a report has reached me that the Chinese Government has given permission to foreign nations to construct, on the coast of Fukien Province, dockyards, coaling stations for military use, naval bases and other establishments for military purposes; and further that the Chinese Government is borrowing foreign capital for putting up the above-mentioned constructions or establishments. I shall be much obliged, if the Chinese Government will inform me whether or not these reports are well founded on fact.

*Reply to be Addressed by the Chinese Minister of Foreign Affairs to the Japanese Minister.*

EXCELLENCY:—

I have the honour to acknowledge the receipt of your Excellency's Note of..... In reply I beg to state that the Chinese Government has not given permission to foreign Powers to construct, on the coast of Fukien Province, dockyards, coaling stations for military use, naval bases or other establishments for military purposes; nor does it contemplate borrowing foreign capital for putting up such constructions or establishments.

418. Memorandum

*Read by the Minister of Foreign Affairs to Mr. Hioki, the Japanese Minister, at a Conference held at the Waichiao Pu, 1st May, 1915.*

The list of demands which the Japanese Government first presented to the Chinese Government consists of five groups, the first relating to Shantung, the second relating to South Manchuria and Eastern Inner Mongolia, the third relating to the Hanyehping Company, the fourth asking for non-alienation of the coast of the country, and the fifth relating to the questions of national advisors, national police, national arms, missionary propaganda, Yangtze Valley railways, and Fukien Province. Out of profound regard for the intentions entertained by Japan, the Chinese Government took these momentous demands into grave and careful consideration and decided to negotiate with the Japanese Government frankly and sincerely what were possible to negotiate.

This is a manifestation to Japan of the most profound regard which the Chinese Government entertains for the relations between the two nations.

PROOF OF CHINA'S FRIENDSHIP.

Ever since the opening of the negotiations China has been doing her best to hasten their progress, holding as many as three conferences a week. As regards the articles in the second group, the Chinese Government, being disposed to allow the Japanese Government to develop the economic relations of the two countries in South Manchuria, realizing that the Japanese Government attaches importance to its interests in that region, and wishing to meet the hopes of Japan, made a painful effort, without hesitation, to agree to the extension of the 25-year lease of Port Arthur and Dalny, the 36-year period of the South Manchurian Railway and the 15-year period of the Antung-Mukden Railway, all to 99 years; and to abandon its own cherished hopes to regain control of these places and properties at the expiration of their respective original terms of lease. It cannot but be admitted that this is a most genuine proof of China's friendship for Japan. As to the right of opening mines in South Manchuria, the Chinese Government has already agreed to permit Japanese to work mines within the mining areas designated by Japan. China has further agreed to give Japan a right of preference in the event of borrowing foreign capital for building railways or of making a loan on the security of the local taxes in South Manchuria. The question of revising the arrangement for the Kirin-Changchun Railway has been settled in accordance with the proposal made by Japan. The Chinese Government has further agreed to employ Japanese first in the event of employing foreign advisors on political, military, financial and police matters.

CHINA'S FRANKNESS AND SINCERITY.

Furthermore, the provision about the re-purchase period of the South Manchurian Railway was not mentioned in Japan's original proposal. Subsequently, the Japanese Government, alleging that its meaning was not clear, asked China to cancel the provision altogether. Again, Japan at first demanded the right of Japanese to carry on farming in South Manchuria, but subsequently she considered the word "farming" was not broad enough and asked to replace it with the phrase "agricultural enterprises." To these requests the Chinese Government, though well aware that the proposed changes could only benefit Japan, still acceded without delay. This, too, is a proof of China's frankness and sincerity toward Japan.

RESIDENCE IN SOUTH MANCHURIA.

As regards matters relating to Shantung the Chinese Government has agreed to a majority of the demands.

The question of inland residence in South Manchuria is, in the opinion of the Chinese Government, incompatible with the treaties China had entered into with Japan and other Powers, still the Chinese Government did its best to consider how it was possible to avoid that incompatibility. At first, China suggested that the Chinese authorities should have full rights of jurisdiction over Japanese settlers. Japan declined to agree to it. Thereupon China reconsidered the question and revised her counter-proposal five or six times, each time making some definite concession, and went so far as to agree that all civil and criminal cases between Chinese and Japanese should be arranged according to existing treaties. Only cases relating to land or lease contracts were reserved to be adjudicated by Chinese Courts, as a mark of China's sovereignty over the region. This is another proof of China's readiness to concede as much as possible.

EASTERN INNER MONGOLIA.

Eastern Inner Mongolia is not an enlightened region as yet, and the conditions existing there are entirely different from those prevailing in South Manchuria. The two places therefore, cannot be considered in the same light. Accordingly, China agreed to open commercial marts first, in the interests of foreign trade.

THE HANYEHPING COMPANY.

The Hanyehping Company mentioned in the third group is entirely a private company, and the Chinese Government is precluded from interfering with it and negotiating with it and negotiating with another Government to make any disposal of the same as the Government likes, but having regard for the interests of the Japanese capitalists, the Chinese Government agreed that whenever, in future, the said Company and the Japanese capitalists should arrive at a satisfactory arrangement for co-operation, China would give her assent thereto. Thus the interests of the Japanese capitalists are amply safeguarded.

GROUP IV.

Although the demand in the fourth group asking for a declaration not to alienate China's coast is an infringement of her sovereign rights, yet the Chinese Government offered to make a voluntary pronouncement so far as it comports

with China's sovereign rights. Thus, it is seen that the Chinese Government, in deference to the wishes of Japan, gave a most serious consideration even to those demands which gravely affect the sovereignty and territorial rights of China as well as the principle of equal opportunity and the treaties with foreign Powers. All this was a painful effort on the part of the Chinese Government to meet the situation—a fact of which the Japanese Government must be aware.

### Group V.

As regards the demands in the fifth group, they all infringe China's sovereignty, the treaty rights of other Powers, and the principle of equal opportunity. Although Japan did not indicate any difference between this group and the preceding four in the list which she presented to China in respect of their character, the Chinese Government, in view of their palpably objectionable features, persuaded itself that these could not have been intended by Japan as anything other than Japan's mere advice to China. Accordingly China has declared from the very beginning that while she entertains the most profound regard for Japan's wishes, she was unable to admit that any of these matters could be made the subject of an understanding with Japan. Much as she desired to pay regard to Japan's wishes, China cannot but respect her own sovereign rights and the existing treaties with other Powers. In order to be rid of the seed for future misunderstanding and to strengthen the basis of friendship, China was constrained to reiterate the reasons for refusing to negotiate on any of the articles in the fifth group, yet in view of Japan's wishes China has expressed her readiness to state that no foreign money was borrowed to construct harbour works in Fukien Province. Thus it is clear that China went so far as to seek a solution for Japan of a question that really did not admit of negotiation. Was there, then, evasion on the part of China?

### REPLY TO REVISED DEMANDS.

Now, since the Japanese Government has presented a revised list of demands and declared at the same time, that it will restore the leased territory of Kiaochow, the Chinese Government reconsiders the whole question and herewith submits a new reply to the friendly Japanese Government.

### FURTHER CONCESSIONS.

In this reply the unsettled articles in the first group are stated again for discussion. As regards the second group, those articles which have already been initialled are omitted.

In connexion with the question of inland residence the police regulation clause has been revised in a more restrictive sense. As for the trial of cases relating to land and lease contracts the Chinese Government now permits the Japanese Consul to send an officer to attend the proceedings. Of the four demands in connexion with that part of Eastern Inner Mongolia which is within the jurisdiction of South Manchuria and the Jehol Intendancy, China agrees to three. China, also, agrees to the article relating to the Hanyehping Company as revised by Japan.

It is hoped that the Japanese Government will appreciate the conciliatory spirit of the Chinese Government in making this final concession and forthwith give her assent thereto.

JAPAN TO PUBLISH DEMANDS.

There is one more point. At the beginning of the present negotiations it was mutually agreed to observe secrecy, but unfortunately a few days after the presentation of the demands by Japan an Osaka newspaper published an "Extra" giving the text of the demands. The foreign and the Chinese press has since been paying considerable attention to this question and frequently publishing pro-Chinese or pro-Japanese comments in order to call forth the world's conjecture—a matter which the Chinese Government deeply regrets. The Chinese Government has never carried on any newspaper campaign and the Chinese Minister of Foreign Affairs has repeatedly declared this to the Japanese Minister.

In conclusion, the Chinese Government wishes to express its hope that the negotiations now pending between the two countries will soon come to an end and whatever misgivings foreign countries entertain toward the present situation may be quickly dispelled.

*Delivered by the Japanese Minister to the Chinese Minister of Foreign Affairs at 3 o'clock on 7th May, 1915.* 419 Ultimatum

The reason why the Imperial Government opened the present negotiations with the Chinese Government is first to endeavour to dispose of the complications arising out of the war between Japan and Germany, and secondly to attempt to solve those various questions which are detrimental to the intimate relations of China and Japan with a view to solidifying the foundation of cordial friendship subsisting between the two countries to the end that the peace of the Far East may be effectually and permanently preserved. With this object in view, definite proposals were presented to the Chinese Government in January of this year, and up to to-day as many as twenty-five conferences have been held with the Chinese Government in perfect sincerity and frankness.

In the course of the negotiations the Imperial Government has consistently explained the aims and objects of the proposals in a conciliatory spirit, whilst on the other hand the proposals of the Chinese Government, whether important or unimportant, have been attended to without any reserve.

It may be stated with confidence that no effort has been spared to arrive at a satisfactory and amicable settlement of those questions.

The discussion of the entire *corpus* of the proposals was practically at an end at the twenty-fourth conference: that is on the 17th of last month. The Imperial Government, taking a broad view of the negotiations and in consideration of the points raised by the Chinese Government, modified the original proposals with considerable concessions and presented to the Chinese Government on the 26th of the same month the revised proposals for agreement, and at the same time it was offered that, on the acceptance of the revised proposals the Imperial Government would, at a suitable opportunity, restore, with fair and proper conditions, to the Chinese Government the Kiaochow territory, in the acquisition of which the Imperial Government had made a great sacrifice.

On the first of May, the Chinese Government delivered the reply to the revised proposals of the Japanese Government, which is contrary to the expectations of the Imperial Government. The Chinese Government not only did not give a careful consideration to the revised proposals but even with regard to the offer of the Japanese Government to restore Kiaochow to the Chinese Government, the latter did not manifest the least appreciation for Japan's good will and difficulties.

From the commercial and military points of view Kiaochow is an important place, in the acquisition of which the Japanese Empire sacrificed much blood and money, and after the acquisition, the Empire incurs no obligation to restore it to China. But with the object of increasing the future friendly relations of the two countries, she went to the extent of proposing its restoration; yet to her great regret the Chinese Government did not take into consideration the good intention of Japan and manifest appreciation of her difficulties. Furthermore the Chinese Government not only ignored the friendly feelings of the Imperial Government in offering the restoration of Kiaochow Bay, but also in replying to the revised proposals it even demanded its unconditional restoration; and again China demanded that Japan should bear the responsibility of paying indemnity for all the unavoidable losses and damages resulting from

Japan's military operation at Kiaochow; and still further in connexion with the territory of Kiaochow China advanced other demands and declared that she has the right of participation at the future peace conference to be held between Japan and Germany. Although China is fully aware that the unconditional restoration of Kiaochow and Japan's responsibility of indemnification for the unavoidable losses and damages can never be tolerated by Japan, yet she purposely advanced these demands and declared that this reply was final and decisive.

Since Japan could not tolerate such demands the settlement of the other questions, however compromising it may be, would not be to her interest. The consequence is that the present reply of the Chinese Government is, on the whole, vague and meaningless.

Furthermore, in the reply of the Chinese Government to the other proposals in the revised list of the Imperial Government, such as South Manchuria and Eastern Inner Mongolia, where Japan particularly has geographical, commercial, industrial and strategic relations, as recognized by all the nations, and made more remarkable in consequence of the two wars in which Japan was engaged, the Chinese Government overlooks these facts and does not respect Japan's position in that place. The Chinese Government even freely altered those articles which the Imperial Government in a compromising spirit has formulated in accordance with the statement of the Chinese Representatives, thereby making the statement of the Representatives an empty talk; and on seeing them conceding with the one hand and withholding with the other it is very difficult to attribute faithfulness and sincerity to the Chinese authorities.

As regards the Articles relating to the employment of advisors, the establishment of schools and hospitals, the supply of arms and ammunition and the establishment of arsenals and railway concessions in South China in the revised proposals, they were either proposed with the provision that the consent of the Power concerned must be obtained, or they are merely to be recorded in the minutes in accordance with the statement of the Chinese delegates, and thus they are not in the least in conflict either with Chinese sovereignty or her treaties with the Foreign Powers, yet the Chinese Government in its reply to the proposals, alleging that these proposals are incompatible with its sovereign rights and treaties with Foreign Powers, defeats the expectations of the Imperial Government. However, in spite of such attitude of the Chinese Government, the Imperial Government, though regretting to see that there is no room for further negotiation, yet warmly attached to the preservation of the

peace of the Far East, is still hoping for a satisfactory settlement in order to avoid the disturbance of relations.

So in spite of the circumstances which admit no patience, the Japanese Government will reconsider the feelings of the Government of the neighbouring country and, with the exception of the article relating to Fukien which is to be the subject of an exchange of notes as has already been agreed upon by the Representatives of both nations, will undertake to detach Group V from the present negotiations and discuss it separately in the future. Therefore the Chinese Government should appreciate the friendly feelings of the Imperial Government by immediately accepting without any alteration all the articles of Groups I, II, III, and IV and the exchange of notes in connexion with Fukien Province in Group V as contained in the revised proposals presented on the 26th of April.

The Imperial Government hereby again offers its advice and hopes that the Chinese Government, upon the advice, will give a satisfactory reply not later than 6 o'clock P.M. on the 9th day of May. It is hereby declared that if no satisfactory reply is received before or at the designated time, the Imperial Government will take any steps she may deem necessary.

420. Explanatory note

*Memorandum Delivered to the Minister of Foreign Affairs by the Japanese Minister the Seventh Day of May, 1915.*

1.—With the exception of the question of Fukien to be arranged by an exchange of notes, the five articles postponed for later negotiation refer to (*a*) the employment of advisors, (*b*) the establishment of schools and hospitals, (*c*) the railway concessions in South China, (*d*) the supply of arms and ammunition and the establishment of arsenals, (*e*) the propagation of Buddhism.

2.—The acceptance by the Chinese Government of the article relating to Fukien may be either in the form proposed by the Minister of Japan on the 26th of April or in that contained in the Reply of the Chinese Government of 1st May. Although the Ultimatum calls for the immediate acceptance by China of the modified proposals presented on 26th April, without alteration, yet it should be noted that it merely states the principle and does not apply to this article and articles 4 and 5 of this note.

3.—If the Chinese Government accepts all the articles as demanded in the Ultimatum the offer of the Japanese Government to restore Kiaochow to China made on the 26th of April, will still hold good.

4.—Art. 2 of Group II relating to the lease or purchase of land, the terms "lease" and "purchase" may be replaced

by the terms "temporary lease" and "perpetual lease" or "lease on consultations," which means a long-term lease with its unconditional renewal.

Art. 4 of Group II relating to the approval of laws and ordinances and local taxes by the Japanese Consul may form the subject of a secret agreement.

5.—The phrase "to consult with the Japanese Government" in connexion with questions of pledging the local taxes for raising loans and the loans for the construction of railways, in Eastern Inner Mongolia, which is similar to the agreement in Manchuria relating to the matters of the same kind, may be replaced by the phrase "to consult with the Japanese capitalists."

The article relating to the opening of trade marts in Eastern Inner Mongolia in respect to location and regulations, may, following the precedent set in Shantung, be the subject of an exchange of notes.

6.—From the phrase "those interested in the Company" in Group III of the revised list of demands, the words "those interested in" may be deleted.

7.—The Japanese version of the Formal Agreement and its annexes shall be the official text or both the Chinese and Japanese shall be the official texts.

421. China's acceptance of ultimatum

*The Reply of the Chinese Government to the Ultimatum of the Japanese Government, Delivered to the Japanese Minister by the Minister of Foreign Affairs on the 8th of May, 1915.*

On the 7th of this month, at three o'clock P.M., the Chinese Government received an Ultimatum from the Japanese Government together with an Explanatory Note of seven articles. The Ultimatum concluded with the hope that the Chinese Government not later than 6 o'clock P.M. on the 9th of May, will give a satisfactory reply, and it is thereby declared that if no satisfactory reply is received before or at the designated time, the Japanese Government will take any steps it may deem necessary.

The Chinese Government with a view to preserving the peace of the Far East, hereby accepts, with the exception of those five articles of Group V postponed for later negotiation, all the articles of Groups I, II, III, and IV and the Exchange of Notes in connexion with Fukien Province in Group V as contained in the revised proposals presented on the 26th of April and in accordance with the Explanatory Note of seven articles accompanying the Ultimatum of the Japanese Government with the hope that thereby all the outstanding questions are settled, so that the cordial relationship between the two countries may be further consolidated. The Japanese Minister is hereby requested to appoint a day to call at the

Ministry of Foreign Affairs to make the verbal improvement of the text and sign the Agreement as soon as possible.

422. Chinese official statement

*Official Statement by the Chinese Government respecting the Sino-Japanese Negotiations now brought to a conclusion by China's compliance with the terms of Japan's Ultimatum delivered on 7th May.*

At three o'clock in the afternoon of 7th May, 1915, His Excellency the Japanese Minister in Peking delivered to the Chinese Government in person an Ultimatum from the Imperial Japanese Government with an accompanying Note of seven articles. The concluding sentences of the Ultimatum read thus:—

> "The Imperial Government hereby again offers its advice and hopes that the Chinese Government, upon this advice, will give a satisfactory reply by six o'clock P.M. on the ninth day of May. It is hereby declared that if no satisfactory reply is received before or at the specified time the Imperial Government will take such steps as it may deem necessary."

The Chinese Government, having received and accepted the Ultimatum feels constrained to make a frank and plain statement of the facts connected with the negotiations which were abruptly terminated by this drastic action on the part of Japan.

STATEMENT FOR CHINA.

The Chinese Government has constantly aimed, as it still aims, at consolidating the friendship existing between China and Japan, and, in this period of travail in other parts of the world, has been particularly solicitous of preserving peace in the Far East. Unexpectedly on 18th January, 1915, His Excellency the Japanese Minister in Peking, in pursuance of instructions from his Government, adopted the unusual procedure of presenting to His Excellency the President of the Republic of China a list (hereto appended) of twenty-one momentous demands, arranged in five Groups. The first four Groups were each introduced by a preamble but there was no preamble or explanation to the Fifth Group. In respect of the character of the demands in this Group, however, no difference was indicated in the document between them and those embodied in the preceding Groups.

Although there was no cause for such a *démarche*, the Chinese Government, in deference to the wishes of the Imperial Japanese Government, at once agreed to open negotiations on those articles which it was possible for China to consider, notwithstanding that it was plapable that the whole of the demands were intended to extend the rights

and interests of Japan without securing a *quid pro quo* of any kind for China.

BEFORE NEGOTIATIONS.

China approached the pending conferences in a spirit of utmost friendliness and with a determination to deal with all questions frankly and sincerely. Before negotiations were actually commenced the Japanese Minister raised many questions with regard to the number of delegates proposed to represent China, the number of conferences to be held in each week, and the method of discussion. The Chinese Government, though its views differed from those of the Japanese Minister, yielded in all these respects to his contentions in the hope of avoiding any delay in the negotiations. The objections of the Japanese Minister to the customary recording and signing of the minutes of each conference, which the Chinese Government suggested as a necessary and advisable precaution, as well as one calculated to facilitate future reference, were also accepted. Nor did the Chinese Government retaliate in any way when in the course of the negotiations the Japanese Minister twice suspended the conferences, obviously with the object of compelling compliance with his views on certain points at the time under discussion. Even when delay was threatened owing to the unfortunate injury sustained by the Japanese Minister as a result of a fall from his horse, the Chinese delegates, in order to avert interruption, proposed that the conferences should be continued at the Japanese Legation, which proposal was accepted. Later, when, on 22nd March, the Japanese Government dispatched large bodies of troops to South Manchuria and Shantung for the ostensible purpose of relieving the garrison whose term of service had not then expired, the Japanese Minister stated at the conference, in reply to a direct question as to when the retiring troops would be withdrawn, that this would not be done until the negotiations could be brought to a satisfactory conclusion. Although this minatory step caused much excitement, indignation and alarm on the part of the Chinese people, and made it difficult for the Chinese Government to continue the conferences, it successfully exerted efforts to avert a rupture and thus enabled the negotiations smoothly to proceed. All this demonstrates that the Chinese Government was dominated by a sincere desire to expedite the progress of the conferences; and that the Japanese Government recognized this important fact was made clear on 11th March, when the Japanese Minister conveyed to the Chinese Government an expression of his Government's appreciation of China's frankness and sincerity in the conduct of the negotiations.

From 2nd February, when the negotiations were commenced, to 17th April, twenty-four conferences were held in all. Throughout this whole period the Chinese Government steadfastly strove to arrive at an amicable settlement and made every concession possible.

Of the twenty-one demands originally submitted by Japan, China agreed to fifteen, some in principle and some textually, six being initiated by both parties.

### IN THE MATTER OF THE DEMANDS TO WHICH CHINA AGREED:—

#### KIAOCHOW AND SHANTUNG.

*At the first conference*, held on 2nd February, China agreed in principle to the first article of the Shantung Group of demands which provides that China should give her assent to the transfer of Germany's rights in Shantung to Japan. The Chinese Government maintained at first that the subject of this demand related to the *post bellum* settlement, and, therefore, should be left over for discussion by all the parties interested at the Peace Conference. Failing to persuade the Japanese Minister to accept this view, the Chinese Government agreed to this demand in principle, and made certain supplementary proposals.

One of the supplementary proposals was in these terms:—

> "The Japanese Government declares that when the Chinese Government gives its assent to the transfer of the rights above referred to, Japan will restore the Leased Territory of Kiaochow to China, and further recognizes the right of the Chinese Government to participate in the negotiations referred to above between Japan and Germany."

The provision for a declaration to restore Kiaochow was clearly not a demand on Japan but only a reiteration of Japan's voluntary statement in her Ultimatum to Germany on 15th August 1914, (a copy of which was officially transmitted to the Chinese Government for persual on 15th August), and repeated in public statements by the Japanese Premier. Appreciating the earnest desire of Japan to maintain the peace of the Far East and to cement her friendship with China, as evidenced by this friendly offer, the Chinese Government left the entire question of the conditions of restoration to be determined by Japan, and refrained from making any reference thereto in the supplementary proposal. The suggestion relating to participation in the Conference between Japan and Germany was made in view of the fact that Shantung, the object of future negotiation between

Japan and Germany, is a Chinese Province, and therefore China is the Power most concerned in the future of that territory.

Another supplementary proposal suggesting the assumption by Japan of responsibility for indemnification of the losses arising out of the military operations by Japan in and about the leased territory of Kiaochow was necessitated by the fact that China was neutral *vis-à-vis* the war between Japan and Germany. Had China not inserted such a provision, her position in relation to this conflict might have been liable to misconstruction—the localities in which the operations took place being a portion of China's territory—and might also have exposed herself to a claim for indemnification of losses for which she was in no way responsible.

In a further supplementary proposal the Chinese Government suggested that, prior to the restoration of the Kiaochow territory to China, the Maritime Customs, the telegraphs and post offices should continue to be administered as heretofore; that the military railway, the telegraph lines, etc., which were installed by Japan to facilitate her military operations, should be removed forthwith; that the Japanese troops now stationed outside of the leased territory should be first withdrawn, and those within the territory should be recalled at the time when Kiaochow is returned to China. Shantung being a Chinese Province, it was natural for China to be anxious concerning the restoration of the *status quo ante bellum*. Although the Chinese Government was confident that the Japanese Government would effect such restoration in pursuance of its official declaration, it was necessary for China, being neutral throughout the war, to place these matters on record.

### CONFERENCES AND RESULTS.

*At the third conference, held on 22nd February,* China agreed to the second demand in the Shantung Group, not to cede or lease to any Power any territory or island on the sea border of Shantung.

*At the fifth conference, held on 29th February,* China agreed to give Japan the preference, provided Germany abandoned the privilege, to supply the capital for the construction of a railway from Chefoo or Lungkow to connect with the Kiaochow-Tsinanfu Railway, in the event of China's deciding to build that railway with foreign capital.

*At the sixth conference, held on 3rd March,* China, in the interests of foreign trade, agreed to open certain important cities in Shantung as trade marts under regulations approved by the Japanese Government, although this was a demand

on the part of Japan for privileges additional to any that hitherto had been enjoyed by Germany and was not an outcome of the hositlities between Japan and Germany, nor, in the opinion of the Chinese Government, was its acceptance essential to the preservation of peace in the Far East.

IMPORTANT CONCESSIONS.

*At the eighth conference, held on 9th March*, China agreed: (1) to the extension of the term of the lease of Dairen and (2) Port Arthur; and (3) of the South Manchurian and (4) Antung-Mukden railways, all to 99 years.

Owing to the bitter experience which China has sustained in the past in connexion with the leased portions of her territory, it has become her settled policy not to grant further leases nor to extend the term of those now in existence. Therefore, it was a significant indication of China's desire to meet Japan's wishes when she agreed to this exceptional departure from her settled policy.

HANYEHPING COMPANY.

At the same conference the Chinese Government also agreed to refrain from raising objections to the principle of co-operation in the Hanyehping Company, if the latter should arrive at an agreement in this respect with the Japanese capitalists concerned. With reference to this question it was pointed out to the Japanese Minister that, in the Provisional Constitution of the Republic of China, Chinese citizens are guaranteed the right of protection of their property and freedom to engage in any lawful occupation. The Government was precluded, therefore, from interfering with the private business of the people, and could not find any other solution than the one thus agreed to.

As regards the single article of the Fourth Group, and the preamble thereto, the Chinese Government held that these were inconsistent with Chinese sovereignty. However, China, at this conference, expressed her readiness to meet the wishes of Japan so far as it was possible without abridging her sovereignty, and agreed to make a voluntary pronouncement that she would not alienate any portion of her coast line.

SOUTH MANCHURIAN RAILWAY.

In connexion with the South Manchurian Railway it is worthy of note that the provision regarding the repurchase period in the agreement (36 years from 1902) was not mentioned in Japan's original proposal. Subsequently the Japanese Government, on the ground that the meaning of this provision was not clear, requested China to agree to its

cancellation. To this request the Chinese Government acceded, though well aware that the proposed change could only benefit Japan. China thus relinquished the right to repurchase the railway at the expiration of another 23 years.

In connexion with the Antung-Mukden Railway, the article that was originally initialled at the conference provided for the reversion of the railway to China at the end of 99 years without payment, but, at the subsequent meeting, the Japanese Minister requested that the reference to the reversion without payment be deleted from the initialled article. In acceding to the Japanese Minister's request, China again showed her sincere desire to expedite matters and to meet Japan's wishes even at the sacrifice of a point in her favour, to which Japan had already agreed.

*At the eleventh conference, held on 16th March*, China agreed: to give Japan preference in regard to loans for railway construction in South Manchuria.

*At the thirteenth conference, held on 23rd March*, China agreed: (1) to the amendment of the Kirin-Changchun Railway loan agreement; (2) to give preference to Japan if the revenue of South Manchuria were offered as security for loans; (3) to give preference to Japanese in the event of the employment of advisors for South Manchuria; (4) to grant to Japanese the right of mining in nine specified areas in South Manchuria.

### SOUTH MANCHURIA MINES.

In its original form the demand with reference to mining in South Manchuria tended to create a monopoly for Japanese subjects, and, therefore, was entirely inconsistent with the principle of equal opportunity. The Chinese Government explained that it could not, in view of the treaty rights of other Powers, agree to this monopoly, but it readily gave its acceptance when Japan consented to the modification of the demand so as to mitigate its monopolistic character.

In connexion with the Kirin-Changchun Railway the amendment agreed to involves a fundamental revision of the original agreement on the basis of the existing railway loan contracts concluded by China with other foreign capitalists, as well as an engagement on the part of the Chinese Government to extend to this railway any better terms which may hereafter be accorded to other railway concessionnaires in China. The capital of this railway was originally fifty per cent. Japanese. The effect of this undertaking is to transfer the capital originally held by the Chinese, as well as the full control and administration of the railway, to the Japanese.

FUKIEN QUESTIONS.

*At the twenty-first conference, held on 10th April*, China agreed, in regard to the demands concerning Fukien Province, to give Japan an assurance in accordance with Japan's wishes at a future time.

As regards demands 2 and 3 in the Manchuria Group, relating to the ownership of land for trade, manufacture, and agricultural enterprises, as well as for the right of settlement in the interior of South Manchuria, the Chinese Government, after discussion at several conferences, agreed to them in principle, but desired to introduce certain amendments concerning the control and protection of the Japanese subjects who might avail themselves of these rights. The course of the negotiations in connexion with these amendments will be referred to subsequently.

IN THE MATTER OF THOSE DEMANDS TO WHICH CHINA COULD NOT AGREE:—

Of the twenty-one original demands there were six, as previously mentioned, to which China could not agree on the ground that they were not proper subjects for international negotiation, conflicting as they did with the sovereign rights of China, the treaty rights of other Powers, and the principle of equal opportunity.

HANYEHPING.

Thus, for example, the second article of the Hanyehping question in the original Third Group in particular, seriously affected the principle of equal commercial and industrial opportunity.

POLICE.

The proposal that there should be joint administration by China and Japan of the police in China was clearly an interference with the Republic's domestic affairs, and consequently an infringement of her sovereignty. For that reason the Chinese Government could not take the demand into consideration. But when it was explained by the Japanese Minister that this referred only to South Manchuria, and he suggested that his Government would be satisfied if China agreed to engage Japanese as police advisors for that territory, the Chinese Government accepted the suggestion.

BUDDHISM.

The two articles relating to the acquisition of land for schools, hospitals, and temples, as well as to the right of missionary propaganda, would, in the opinion of the Chinese

Government, have presented grave obstacles to the consolidation of the friendly feeling subsisting between the two people. The religions of the two countries are identical and therefore the need for a missionary propaganda to be carried on in China by Japan does not exist. The natural rivalry between Chinese and Japanese followers of the same faith would tend to create incessant disputes and friction. Whereas Western missionaries live apart from the Chinese communities amongst which they labour, Japanese monks would live with the Chinese; and the similarity of their physical characteristics, their religious garb, and their habits of life would render it impossible to distinguish them for purposes of affording the protection which the Japanese Government would require should be extended to them under the system of extraterritoriality now obtaining in China. Moreover, a general apprehension exists amongst the Chinese people that these peculiar conditions, favouring conspiracies for political purposes, might be taken advantage of by some unscrupulous Chinese.

### YANGTZE RAILWAYS.

The demand for railway concessions in the Yangtze Valley conflicted with the Shanghai-Hangchow-Ningpo Railway Agreement of 6th March, 1908, the Nanking-Changsha Railway Agreement of 31st March, 1914, and the engagement of 24th August, 1914, giving preference to British firms for the projected line from Nanchang to Chaochowfu. For this reason the Chinese Government found itself unable to consider the demand, though the Japanese Minister, while informed of China's engagements with Great Britain, repeatedly pressed for its acceptance.

### ADVISORS.

In respect to the demand for the appointment of influential Japanese to be advisors and instructors in political, financial and military affairs, the policy of the Chinese Government in regard to the appointment of advisors has been similar to that which has presumably guided the Japanese Government in like circumstances, namely, the selection of the best qualified men irrespective of their nationality. As an indication of its desire to avail itself of the services of eminent Japanese, one of the earliest appointments made to an advisorship was that of Dr. Ariga, while later on Dr. Hirai and Mr. Takii were appointed to the Ministry of Communications.

It was considered that the demand that Japanese should be appointed in the three most important administrative

departments, as well as the demand for the joint control of China's police, and the demand for an engagement to purchase a fixed amount of arms and ammunition from Japan or to establish joint arsenals in China, so clearly involved the sovereignty of the Republic that the Chinese Government was unable even to consider them.

For these reasons the Chinese Government, at the very outset of the negotiations, declared that it was unable to negotiate on the demands; but, in deference to the wishes of the Japanese Minister, the Chinese delegates consented to give the reasons for declining to enter into a discussion of them.

IN THE MATTER OF THE QUESTIONS OF DISPUTE INVOLVED IN SOME OF THE FOREGOING DEMANDS:—

The demand by Japan for the right of her subjects in South Manchuria to lease or own land, and to reside and travel, and to engage in business or manufacture of any kind whatever, was deemed by the Chinese Government to obtain for Japanese subjects in this region a privileged status beyond the terms of the treaties existing between the two nations, and to give them a freedom of action which would be a restriction of China's sovereignty and a serious infringement of her administrative rights. Should Japanese subjects be granted the right of owning land, it would mean that all the landed property in the region might fall into their hands, thereby endangering China's territorial integrity. Moreover, residence in the interior was incompatible with the existence of extraterritoriality, the relinquishment of which is necessary to the actual enjoyment of the privilege of inland residence, as evidenced in the practice of other nations.

EXTRATERRITORIALITY.

Japan's unconditional demand for the privilege of inland residence, accompanied with a desire to extend extraterritoriality into the interior of China and to enable Japanese subjects to monopolize all the interests in South Manchuria, was also palpably irreconcilable with the principle of equal opportunity. For this reason the Chinese Government was, in the first instant, unable to accept this demand as a basis of negotiation. Its profound regard for the friendly relations of the two countries, however, persuaded it to exert its utmost efforts, in spite of all the inherent difficulties, to seek a solution of a question which was practically impossible to solve. Knowing that the proposal made by Japan was incompatible with treaties, it nevertheless sought to meet her wishes within the limits of treaties. Accordingly it submitted a counter-proposal to open more places in South

Manchuria to international trade and to establish Sino-Japanese joint reclamation companies.

This suggestion was made in the belief that the places to which Japanese subjects would desire to resort for purposes of trade, could not be other than important localities; if all these localities were opened to commerce, then they could reside, trade, and lease land there for joint reclamation. Thus Japanese subjects might enjoy the essence of the privilege of inland residence and would still be able to reconcile their position with China's treaties and the principle of equal opportunity.

After the Japanese Government declined to accept this suggestion, China withdrew it and replaced it with an amendment to the original articles. It was proposed in this amendment to grant to Japanese subjects the extra-treaty privilege of inland residence with the proviso that Japanese subjects in places outside of trade marts should observe Chinese police regulations and pay taxes in the same manner as Chinese; and that civil and criminal cases involving such Japanese subjects should be adjudicated by Chinese authorities, the Japanese Consul attending merely to watch the proceedings. This suggestion was not an innovation: it was based upon the *modus operandi* now in force as regards the Chosenese settlers in inland districts in Chientao. But the Japanese Government again declined to accept it.

The Chinese Government thereupon made a third proposal along the line of what constitutes the present practice in Turkey, making a distinction, however, in favour of Japanese subjects, in the exercise of jurisdiction over civil and criminal cases. This was once more objected to by the Japanese Government.

Then the Chinese Government proposed to concede still another step—the fourth endeavour to meet Japan's wishes. It proposed to agree to the full text of Articles 2 and 3 relative to the question of inland residence, except that "the right of owing land" was changed into "the right of leasing land" and to the phrase "cultivating land" was added this clause: "the regulations for which shall be determined separately;" and further, to add a supplementary article which embodied a *modus operandi* which the Chinese Government had constrained themselves to make out of a desire to come to a settlement over this question. The view advanced in this supplementary article was based upon the Japanese Minister's declaration made on 6th March 1915, that a separate article embodying some compromise might be added to the original Articles 2 and 3 for the purpose of avoiding any conflict with China's sovereignty or the system established by treaties.

These suggestions made by the Chinese Government were not accepted by Japan.

EASTERN INNER MONGOLIA.

As regards Eastern Inner Mongolia. not only have no treaties been entered into with Japan concerning this region, but also the people are so unaccustomed to foreign trade that the Chinese Government invariably feels much anxiety about the safety of foreigners who elect to travel there. The Chinese Government, therefore, considered that it would not be in the interest of foreigners to open the whole territory to them for residence and commerce, and on these grounds based its original refusal to place Eastern Inner Mongolia on the same footing as South Manchuria. Still, its desire to meet the wishes of the Japanese Government eventually prompted it to offer to open a number of places in the region to foreign trade.

IN THE MATTER OF JAPAN'S REVISED DEMANDS:—

The foregoing is an outline of the negotiations up to 17th April. It was hoped by the Chinese Government that the Japanese Government, in view of the great concessions made by China at the conferences held up to this time, would see a way of effecting an amicable settlement by modifying its position on certain points. In regard to these it had, by this time, become manifest that China would encounter almost insuperable difficulties in making further concessions.

The Japanese Government, however, suspended the negotiations until 26th April when it surprised the Chinese Government by presenting a new list of twenty-four demands (which is hereto appended), and requested the Chinese Government to accord its acceptance without delay, adding that this was the final proposal. At the same time the Japanese Minister stated that the Japanese Government would restore the leased territory of Kiaochow to China at an opportune time in the future and under proper conditions, if the Chinese Government would agree to the new list of twenty-four demands without modification.

In this new list although the term "special position" in the preamble of the Manchurian Group was changed to "economic relations," and although the character of the articles in the original Fifth Group was altered from demands to a recital of alleged statements by the Chinese Foreign Minister, four new demands were introduced concerning Eastern Inner Mongolia. In deference to the wishes of the Japanese Government, the Chinese Government gave the revised list the most careful consideration; and being

sincerely desirous of an early settlement, offered new concessions in their reply presented to the Japanese Minister on 1st May. (Annexed.)

REPLY TO REVISED DEMANDS.

In this reply the Chinese Government re-inserted the proposal in reference to the retrocession of Kiaochow, which they advanced at the first conference on 2nd February and which was postponed at the request of the Japanese Minister. This, therefore, was in no sense a new proposal.

The Chinese Government also proposed to agree to three of the four articles relating to Eastern Inner Mongolia. There was some difficulty in determining a definition of the boundaries of Eastern Inner Mongolia—this being a new expression in Chinese geographical terminology—but the Chinese Government, acting upon a statement made at a previous conference by the Japanese Minister that the Japanese Government meant the region under Chinese administrative jurisdiction, and taking note in the list presented by the Japanese Minister of the names of places in Eastern Inner Mongolia to be opened to trade, inferred that the so-called Eastern Inner Mongolia is that part of Inner Mongolia which is under the jurisdiction of South Manchuria and the Jehol circuit; and refrained from placing any limitations upon the definition of this term.

The Chinese Government also withdrew its supplementary proposal reserving the right of making regulations for agricultural enterprises to be undertaken by Japanese settlers in South Manchuria.

In respect of the trial of cases involving land disputes between Japanese only, or between Japanese and Chinese, the Chinese Government accorded to the Japanese Consul the right of deputing an officer to watch the proceedings.

The Chinese Government also agreed to accept the suggestion of the Japanese Government to modify the term "police laws and ordinances" into "police regulations," thereby limiting the extent of control which the Chinese would have over Japanese subjects.

As regards the Hanyehping demand, the Chinese Government accepted the draft made by the Japanese Government embodying an engagement by the Chinese Government not to convert the Company into a state-owned concern, nor to confiscate it, nor to force it to borrow foreign capital other than Japanese.

In respect of the Fukien question the Chinese Government also agreed to give an assurance in the amplified form suggested by the Japanese Government that the Chinese Government had not given their consent to any foreign

nations to construct a dockyard, or a coaling station, or a naval base, or any other military establishment along the coast of Fukien Province; nor did it contemplate borrowing foreign capital for the foregoing purposes.

Having made these concessions which practically brought the views of China into line with those of Japan, and having explained in a note accompanying the reply the difficulty for China to make further concessions, the Chinese Government hoped that the Japanese Government would accept its reply of 1st May, and thus bring the negotiations to an amicable conclusion.

### JAPANESE DISSATISFACTION.

The Japanese Government however, expressed itself as being dissatisfied with China's reply, and withdrew the conditional offer to restore Kiaochow to China made on 26th April. It was further intimated that if the Chinese Government did not give its full compliance with the list of twenty-four demands, Japan would have recourse to drastic measures.

Upon receiving this intimation the Chinese Government, inspired by the conciliatory spirit which had been predominant from the very beginning of the negotiations and desirous of avoiding any possible rupture in the relations of the two countries, made a supreme effort to meet the situation, and represented to the Japanese Government that it would reconsider its position and make another attempt to find a solution that would be more satisfactory to Japan, in respect to those articles which China had declared could not be taken up for consideration, but to which Japan attached great importance. Even in the evening of 6th May, after the Japanese Minister had notified the Chinese Government that the Ultimatum had arrived in Peking, the Chinese Government in the interests of peace still exerted efforts to save the situation by offering to meet Japan's wishes.

### OVERTURES REJECTED.

These overtures were again rejected, and thus exhausted the means at the disposal of the Chinese Government to prevent an *impasse*.

It is plain that the Chinese Government proceeded to the fullest extent of possible concession in view of the strong national sentiment manifested by the people throughout the whole period of negotiations. All that the Chinese Government strove to maintain was China's plenary sovereignty, the treaty rights of foreign Powers in China and the principle of equal opportunity.

To the profound regret of the Chinese Government however, the tremendous sacrifices which they had shown themselves ready to make proved unavailing, and an Ultimatum (the text of which is appended) was duly delivered to them by the Japanese Minister at three o'clock on the afternoon of 7th May.

ALLEGATIONS AGAINST CHINA.

As to the allegations made in the Ultimatum against China, the Chinese Government hopes that the foregoing outline of the history of the negotiations constitutes a clear, dispassionate, and complete reply.

In considering the nature of the course it should take with reference to the Ultimatum the Chinese Government was influenced by a desire to preserve the Chinese people, as well as the large number of foreign residents in China, from unnecessary suffering, and also to prevent the interests of friendly Powers from being imperilled. For these reasons the Chinese Government was constrained to comply in full with the terms of the Ultimatum (the reply being hereto appended), but in complying the Chinese Government disclaims any desire to associate itself with any revision, which may thus be effected, of the various conventions and agreements concluded between other Powers in respect of the maintenance of China's territorial independence and integrity, the preservation of the *status quo*, and the principle of equal opportunity for the commerce and industry of all nations in China.

## *Section 73. Relations with Japan, 1915: Treaties and Notes*

From January 18, when the Demands were presented, until May 8, when the Chinese government replied to the ultimatum of May 7, negotiations were carried on between the representatives of China and Japan. Following the acceptance by China of the terms laid down in the ultimatum the treaties, agreements, notes and declarations necessary for settling the affairs were drawn up. Signatures were attached on May 25, and on June 8 the ratifications of the treaties were exchanged, thus completing almost five months of negotiation between the two countries.

423. Treaty respecting the province of Shantung

His Excellency the President of the Republic of China and His Majesty the Emperor of Japan, having resolved to conclude a Treaty with a view to the maintenance of general peace in the Extreme East and the further strengthening of the relations of friendship and good neighbourhood now existing between the two nations, have for that purpose named as their Plenipotentiaries, that is to say:

His Excellency the President of the Republic of China, Lou Tseng-tsiang, *Chung-ching*, First Class *Chia Ho* Decoration, Minister of Foreign Affairs;

And His Majesty the Emperor of Japan, Hioki Eki, *Jushii*, Second Class of the Imperial Order of the Sacred Treasure, Minister Plenipotentiary, and Envoy Extraordinary;

Who, after having communicated to each other their full powers and found them to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE 1.—The Chinese Government agrees to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung.

ARTICLE 2.—The Chinese Government agrees that as regards the railway to be built by China herself from Chefoo or Lungkow to connect with the Kiaochow-Tsinanfu Railway, if Germany abandons the privilege of financing the Chefoo-Weihsien line, China will approach Japanese capitalists to negotiate for a loan.

ARTICLE 3.—The Chinese Government agrees in the interest of trade and for the residence of foreigners, to open by China herself as soon as possible certain suitable places in the Province of Shantung as Commercial Ports.

ARTICLE 4.—The present treaty shall come into force on the day of its signature.

The present treaty shall be ratified by His Excellency the President of the Republic of China and His Majesty the Emperor of Japan, and the ratifications thereof shall be exchanged at Tokyo as soon as possible.

In witness whereof the respective Plenipotentiaries of the High Contracting Parties have signed and sealed the present Treaty, two copies in the Chinese language and two in Japanese.

Done at Peking this twenty-fifth day of the fifth month of the fourth year of the Republic of China, corresponding to the same day of the same month of the fourth year of Taisho.

NOTE.

424. Exchange of notes respecting Shantung

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

In the name of the Chinese Government I have the honour to make the following declaration to your Government:—"Within the Province of Shantung or along its coast no territory or island will be leased or ceded to any foreign Power under any pretext."

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you make the following declaration in the name of the Chinese Government:—"Within the Province of Shantung or along its coast no territory or island will be leased or ceded to any foreign Power under any pretext."

In reply I beg to state that I have taken note of this declaration.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

NOTE.

425. Exchange of notes respecting the opening of ports in Shantung

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to state that the places which ought to be opened as Commercial Ports by China herself, as provided in Article 3 of the Treaty respecting the Province of Shantung signed this day, will be selected and the

regulations therefor will be drawn up, by the Chinese Government itself, a decision concerning which will be made after consulting the Minister of Japan.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you stated "that the places which ought to be opened as Commercial Ports by China herself, as provided in Article 3 of the Treaty respecting the Province of Shantung signed this day, will be selected and the regulations therefor will be drawn up, by the Chinese Government itself, a decision concerning which will be made after consulting the Minister of Japan."

In reply, I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

426. Exchange of notes respecting the restoration of the leased territory of Kiaochow Bay

NOTE.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

In the name of my Government I have the honour to make the following declaration to the Chinese Government:—

When, after the termination of the present war, the leased territory of Kiaochow Bay is completely left to the free disposal of Japan, the Japanese Government will restore the said leased territory to China under the following conditions:—

1.—The whole of Kiaochow Bay to be opened as a Commercial Port.

2.—A concession under the exclusive jurisdiction of Japan to be established at a place designated by the Japanese Government.

3.—If the foreign Powers desire it, an international concession may be established.

4.—As regards the disposal to be made of the buildings and properties of Germany and the conditions and procedure relating thereto, the Japanese Government and the Chinese Government shall arrange the matter by mutual agreement before the restoration.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you make the following declaration in the name of your Government:—

"When, after the termination of the present war, the leased territory of Kiaochow Bay is completely left to the free disposal of Japan, the Japanese Government will restore the said leased territory to China under the following conditions:—

"1.—The whole of Kiaochow Bay to be opened as a Commercial Port.

"2.—A concession under the exclusive jurisdiction of Japan to be established at a place designated by the Japanese Government.

"3.—If the foreign Powers desire it, an international concession may be established.

"4.—As regards the disposal to be made of the buildings and properties of Germany and the conditions and procedure relating thereto, the Japanese Government and the Chinese Government shall arrange the matter by mutual agreement before the restoration."

In reply, I beg to state that I have taken note of this declaration.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

427. Treaty respecting South Manchuria and Eastern Inner Mongolia

His Excellency the President of the Republic of China and His Majesty the Emperor of Japan, having resolved to conclude a Treaty with a view to developing their economic relations in South Manchuria and Eastern Inner Mongolia, have for that purpose named as their Plenipotentiaries, that is to say:

His Excellency the President of the Republic of China, Lou Tseng-tsiang, *Chung-ching*, First Class *Chia-ho* Decoration, and Minister of Foreign Affairs; and His Majesty the Emperor of Japan, Hioki Eki, *Jushii* Second Class of the Imperial Order of the Sacred Treasure, Minister Plenipotentiary and Envoy Extraordinary;

Who, after having communicated to each other their full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE 1.—The two High Contracting Parties agree that the term of lease of Port Arthur and Dalny and the terms of the South Manchurian Railway and the Antung-Mukden Railway, shall be extended to 99 years.

ARTICLE 2.—Japanese subjects in South Manchuria may, by negotiation, lease land necessary for erecting suitable buildings for trade and manufacture or for prosecuting agricultural enterprise.

ARTICLE 3.—Japanese subjects shall be free to reside and travel in South Manchuria and to engage in business and manufacture of any kind whatsoever.

ARTICLE 4.—In the event of Japanese and Chinese desiring jointly to undertake agricultural enterprises and industries incidental thereto, the Chinese Government may give its permission.

ARTICLE 5.—The Japanese subjects referred to in the preceding three articles, besides being required to register with the local authorities passports which they must procure under the existing regulations, shall also submit to the police laws and ordinances and taxation of China.

Civil and criminal cases in which the defendants are Japanese shall be tried and adjudicated by the Japanese Consul; those in which the defendants are Chinese shall be tried and adjudicated by Chinese authorities. In either case an officer may be deputed to the court to attend the proceedings. But mixed civil cases between Chinese and Japanese relating to land shall be tried and adjudicated by delegates of both nations conjointly in accordance with Chinese law and local usage.

When, in future, the judicial system in the said region is completely reformed, all civil and criminal cases concerning Japanese subjects shall be tried and adjudicated entirely by Chinese law courts.

ARTICLE 6.—The Chinese Government agrees, in the interest of trade and for the residence of foreigners, to open by China herself, as soon as possible, certain suitable places in Eastern Inner Mongolia as Commercial Ports.

ARTICLE 7.—The Chinese Government agrees speedily to make a fundamental revision of the Kirin-Changchun Railway Loan Agreement, taking as a standard the provisions in railway loan agreements made heretofore between China and foreign financiers.

When in future more advantageous terms than those in existing railway loan agreements are granted to foreign financiers in connexion with railway loans, the above agreement shall again be revised in accordance with Japan's wishes.

ARTICLE 8.—All existing treaties between China and Japan relating to Manchuria shall, except where otherwise provided for by this Treaty, remain in force.

ARTICLE 9.—The present Treaty shall come into force on the date of its signature. The present Treaty shall be ratified by His Excellency the President of the Republic of China and His Majesty the Emperor of Japan, and the ratifications thereof shall be exchanged at Tokyo as soon as possible.

In witness whereof the respective Plenipotentiaries of the two High Contracting Parties have signed and sealed the present Treaty, two copies in the Chinese language and two in Japanese.

Done at Peking this twenty-fifth day of the fifth month of the fourth year of the Republic of China, corresponding to the same day of the same month of the fourth year of Taisho.

NOTE.

428. Exchange of notes respecting the terms of lease of Port Arthur and Dalny and the terms of the South Manchurian and Antung-Mukden railways

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to state that, respecting the provisions contained in Article 1 of the Treaty relating to South Manchuria and Eastern Inner Mongolia, signed this day, the term of lease of Port Arthur and Dalny shall expire in the 86th year of the Republic or 1997. The date for restoring the South Manchurian Railway to China shall fall due in the 91st year of the Republic or 2002. Article 12 in the original South Manchurian Railway Agreement providing that it may be redeemed by China after 36 years from the day on which the traffic is opened is hereby cancelled. The term

of the Antung-Mukden Railway shall expire in the 96th year of the Republic or 2007.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date, in which you stated that respecting the provisions contained in Article 1 of the Treaty relating to South Manchuria and Eastern Inner Mongolia, signed this day, "the term of lease of Port Arthur and Dalny shall expire in the 86th year of the Republic or 1997. The date for restoring the South Manchurian Railway to China shall fall due in the 91st year of the Republic or 2002. Article 12 in the original South Manchurian Railway Agreement providing that it may be redeemed by China after 36 years from the day on which the traffic is opened, is hereby cancelled. The term of the Antung-Mukden Railway shall expire in the 96th year of the Republic or 2007."

In reply I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

429. Exchange of notes respecting the opening of ports in Eastern Inner Mongolia

NOTE.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to state that the places which ought to be opened as Commercial Ports by China herself, as provided in Article 6 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day, will be selected, and the regulations therefor will be drawn up, by the Chinese Government itself, a decision concerning which will be made after consulting the Minister of Japan.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you state "that the places which ought to be opened as Commercial Ports by China herself, as provided in Article 6 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day, will be selected, and the regulations therefor will be drawn up, by the Chinese Government itself, a decision concerning which will be made after consulting the Minister of Japan."

In reply, I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

430. South Manchuria

NOTE.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to state that Japanese subjects shall, as soon as possible, investigate and select mines in the mining areas in South Manchuria specified hereinunder, except those being prospected for or worked and the Chinese Government will then permit them to prospect or work the same; but before the mining regulations are definitely settled, the practice at present in force shall be followed.

*Province of Fengtien*

| *Locality* | *District* | *Mineral* |
|---|---|---|
| Niu Hsin T'ai ... | Pen-hsi | Coal |
| Tien Shih Fu Kou... | „ | „ |
| Sha Sung Kang ... | Hai-lung | „ |
| T'ieh Ch'ang ... | Tung-hua | „ |
| Nuan Ti T'ang ... | Chin | „ |
| An Shan Chan region | From Liao-yang to Pen-hsi | Iron |

*Province of Kirin (Southern portion)*

| *Locality* | *District* | *Mineral* |
|---|---|---|
| Sha Sung Kang ... | Ho-lung | C. and I. |
| Kang Yao ... | Chi-lin (Kirin) | Coal |
| Chia P'i Kou ... | Hua-tien | Gold |

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day respecting the opening of mines in South Manchuria, stating: "Japanese subjects shall, as soon as possible, investigate and select mines in the mining areas in South Manchuria specified hereinunder, except those being prospected for or worked, and the Chinese Government will then permit them to prospect or work the same; but before the mining regulations are definitely settled, the practice at present in force shall be followed.

*Province of Fengtien*

| | *Locality* | *District* | *Mineral* |
|---|---|---|---|
| 1. | Niu Hsin T'ai ... ... ... | Pen-hsi | Coal |
| 2. | Tien Shih Fu Kou ... ... | ,, | ,, |
| 3. | Sha Sung Kang ... ... | Hai-lung | ,, |
| 4. | T'ieh Ch'ang ... ... ... | Tung-hua | ,, |
| 5. | Nuan Ti T'ang ... ... | Chin | ,, |
| 6. | An Shan Chan region ... | From Liao-yang to Pen-hsi | Iron |

*Province of Kirin (Southern portion)*

| | *Locality* | *District* | *Mineral* |
|---|---|---|---|
| 1. | Sha Sung Kang ... ... ... | Ho-lung | C. and I. |
| 2. | Kang Yao ... ... ... ... | Chi-lin (Kirin) | Coal |
| 3. | Chia P'i Kou ... ... ... | Hua-tien | Gold" |

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs of the Republic of China.

431. Exchange of notes respecting railways and taxes in South Manchuria and Eastern Inner Mongolia

NOTE.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

In the name of my Government, I have the honour to make the following declaration to your Government:—

China will hereafter provide funds for building necessary railways in South Manchuria and Eastern Inner Mongolia; if foreign capital is required China may negotiate for a loan with Japanese capitalists first; and further, the Chinese Government, when making a loan in future on the security of the taxes in the above-mentioned places (excluding the salt and customs revenue which has already been pledged by the Chinese Central Government) may negotiate for it with Japanese capitalists first.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date respecting railways and taxes in South Manchuria and Eastern Inner Mongolia in which you stated:

"China will hereafter provide funds for building necessary railways in South Manchuria and Eastern Inner Mongolia; if foreign capital is required China may negotiate for a loan with Japanese capitalists first; and further, the Chinese Government, when making a loan in future on the security of taxes in the above-mentioned places (excluding the salt and customs revenue which has already been pledged by the Chinese Central Government) may negotiate for it with Japanese capitalists first."

In reply I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

**432. Exchange of notes respecting the employment of advisers in South Manchuria**

NOTE

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

In the name of the Chinese Government I have the honour to make the following declaration to your Government:—

"Hereafter,i f foreign advisors or instructors on political, financial, military, or police matters are to be employed in South Manchuria, Japanese may be employed first."

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you make the following declaration in the name of your Government:—

"Hereafter, if foreign advisors or instructors on political, fiancial, military, or police matters are to be employed in South Manchuria, Japanese may be employed first."

In reply, I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

**433. Exchange of notes respecting the explanation of "Lease by Negotiation" in South Manchuria**

NOTE.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to state that the term "lease by negotiation" contained in Article 2 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day shall be understood to imply a long-term lease of not more than thirty years and also the possibility of its unconditional renewal.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you state:

"The term 'lease by negotiation' contained in Article 2 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day shall be understood to imply a long-term lease of not more than thirty years and also the possibility of its unconditional renewal."

In reply I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

HIS EXCELLENCY,
HIOKI EKI,
Japanese Minister.

NOTE.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

434. Exchange of notes respecting the arrangement for police laws and ordinances and taxation in South Manchuria and Eastern Inner Mongolia

MONSIEUR LE MINISTRE,

I have the honour to state that the Chinese authorities will notify the Japanese Consul of the police laws and ordinances and the taxation to which Japanese subjects shall submit according to Article 5 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day so as to come to an understanding with him before their enforcement.

I avail, etc.,

(Signed) LOU TSENG-TSIANG

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you state:

"The Chinese authorities will notify the Japanese Consul of the police laws and ordinances and the taxation to which

Japanese subjects shall submit according to Article 5 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day so as to come to an understanding with him before their enforcement."

In reply, I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

435. Exchange of notes respecting the postponement of Articles 2, 3, 4, and 5 of the treaty respecting South Manchuria and Eastern Inner Mongolia

NOTE.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to state that, inasmuch as preparations have to be made regarding Articles 2, 3, 4 and 5 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day, the Chinese Government proposes that the operation of the said Articles be postponed for a period of three months beginning from the date of the signing of the said Treaty.

I hope your Government will agree to this proposal.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you stated that, "inasmuch as preparations have to be made regarding Articles 2, 3, 4 and 5 of the Treaty respecting South Manchuria and Eastern Inner Mongolia signed this day, the Chinese Government proposes that the operation of the said Articles be postponed for a period of three months beginning from the date of the signing of the said Treaty."

In reply, I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

436. Exchange of notes respecting the matter of Hanyehping

NOTE.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to state that if in future the Hanyehping Company and the Japanese capitalists agree upon co-operation, the Chinese Government, in view of the intimate relations subsisting between the Japanese capitalists and the said Company, will forthwith give its permission. The Chinese Government further agrees not to confiscate the said Company, nor, without the consent of the Japanese capitalists to convert it into a state enterprise, nor cause it to borrow and use foreign capital other than Japanese.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date in which you state:

"If in future the Hanyehping Company and the Japanese capitalists agree upon co-operation, the Chinese Government, in view of the intimate relations subsisting between the Japanese capitalists and the said Company, will forthwith give its permission. The Chinese Government further agrees not to confiscate the said Company, nor, without the consent of the Japanese capitalists to convert it into a state enterprise, nor cause it to borrow and use foreign capital other than Japanese."

In reply, I beg to state that I have taken note of the same.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

437. Exchange of notes respecting the Fukien question

NOTE.

Peking, the 25th day of the 5th month of the 4th year of Taisho.

EXCELLENCY,

A report has reached me to the effect that the Chinese Government has the intention of permitting foreign nations to establish, on the coast of Fukien Province, dockyards, coaling stations for military use, naval bases, or to set up other military establishments; and also of borrowing foreign capital for the purpose of setting up the above-mentioned establishments.

I have the honour to request that Your Excellency will be good enough to give me a reply stating whether or not the Chinese Government really entertains such an intention.

I avail, etc.,

(Signed) HIOKI EKI.

His Excellency,
LOU TSENG-TSIANG,
Minister of Foreign Affairs.

REPLY.

Peking, the 25th day of the 5th month of the 4th year of the Republic of China.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's note of this day's date which I have noted.

In reply I beg to inform you that the Chinese Government hereby declares that it has given no permission to foreign nations to construct, on the coast of Fukien Province, dockyards, coaling stations for military use, naval bases, or to set up other military establishments; nor does it entertain an intention of borrowing foreign capital for the purpose of setting up the above-mentioned establishments.

I avail, etc.,

(Signed) LOU TSENG-TSIANG.

His Excellency,
HIOKI EKI,
Japanese Minister.

The interest of the American government in the "open-door policy" in China, as well as the treaties which that country has with China, made the American government watch with especial interest the negotiations of 1915 between China and Japan. Three days after the acceptance by China of the terms laid down in Japan's ultimatum the American Department of State sent identical notes to the governments of China and Japan. The note to the Chinese government was presented by the American minister on May 13, and published in the Peking papers on May 24.

438. Note of May 11, 1915, to the Chinese government from the government of the United States

In view of the circumstances of the negotiations which have taken place and which are now pending between the Government of China and the Government of Japan and of the agreements which have been reached as a result thereof, the Government of the United States has the honor to notify the Government of the Chinese Republic that it can not recognize any agreement or undertaking which has been entered into or which may be entered into between the Governments of China and Japan impairing the treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China, or the international policy relative to China commonly known as the open-door policy.

An identical note has been transmitted to the Imperial Japanese Government.

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** BLAND, *China, Japan and Korea* (New York, 1921); REINSCH, *An American Diplomat in China;* MILLARD, *Democracy and the Eastern Question* (New York, 1919); HORNBECK, *Contemporary Politics in the Far East;* GIBBONS, *The New Map of Asia;* PUTNAM WEALE, *The Fight for the Republic in China;* PUTNAM WEALE, *The Truth About China and Japan* (New York, 1919); POOLEY, *Japan at the Cross Roads* (London, 1919); HYNDMAN, *The Awakening of Asia* (London, 1919); BROWN, *The Mastery of the Far East* (London, 1919); WILLOUGHBY, *Foreign Rights and Interests in China* (Baltimore, 1920); MILLARD, *The A B C's of the Twenty-One Demands* (Shanghai, 1921); POOLEY, *Japan's Foreign Policies* (London, 1920); OSBORNE, *The New Japanese Peril* (London, 1921).

# CHAPTER XVII

## CHINA'S DOMESTIC AND FOREIGN RELATIONS UNDER THE REPUBLIC, 1916–1922

### *Section 74. China and the World War*

We have seen in the preceding chapter how China was affected by the breaking out of war in Europe in 1914 because of the territorial relations of the European powers and of the Anglo-Japanese Alliance. It is clear that at the outset China had no intention whatever of siding with either of the belligerent parties. The presidents of both China and the United States had enjoined neutrality upon their nationals. Nevertheless the war came to both countries. How China broke with Germany is interestingly described by Minister Reinsch, whose account of his years in China has been previously quoted.

A few weeks after his cancellation of the empire scheme, Yuan Shih-kai died in his official residence in Peking—early on the morning of June 6, 1916. He was succeeded by Vice President Li Yuan-hung, who had risen to fame and power as a Revolutionary leader in 1911. With him Minister Reinsch now conferred.

439. How China broke with Germany

The time came for the United States to sever relations with the German Kaiser's government. I had taken advantage of the clear sunshine and mild air on Sunday, February 4, 1917, to visit Doctor Morrison at his cottage outside of Peking near the race-course. After lunch a messenger came from the Legation, bringing word that an important cablegram

had arrived and was being decoded. I returned to town, and at the Legation Mr. White handed me the decoded message which said that the American Government had not only broken off diplomatic relations with Germany, but that it trusted the neutral powers would associate themselves with the American Government in this action of protest against an intolerable practice; this would make for the peace of the world. I was instructed to communicate all this to the Chinese Government.

After a conference with the first secretary, Mr. MacMurray, and the Chinese secretary, Doctor Tenney, I made an engagement to see the President and the Premier on that same evening. I felt justified in assuming that the invitation to the neutrals to join the United States was more than a pious wish and that there was some probability that the European neutrals would support our protest. As to China I had already informed the Government that we could reasonably expect support there. I therefore considered it to be the policy of the Government to assure a common demonstration on the part of all neutral powers, strong enough to bring Germany to a halt. So far as my action was concerned, I therefore saw the plain duty to prevail upon China to associate herself with the American action as proposed by my government.

Conference with President Li Yuan-hung

I found President Li Yuan-hung resting after dinner in his palace and in an amiably expectant mood. With him was Mr. Quo Tai-chi, his English secretary. He was plainly startled by the prospect of having to consider so serious a matter, and did not at first say anything, but sat silently thinking. His doubts and objections were revealed rather through questions than by direct statements. "What is the present state of the war, and what the relative strength or degree of exhaustion of the belligerent parties?" "Could the Allies, even with the assistance of the United States, win a decisive victory?" Finally, he said: "The effect of such a far-reaching international act upon the internal situation in China will have to be carefully considered."

The President's secretary appeared strongly impressed with the favourable aspects of our proposal, so that he began to argue a little with the President. On my part, I pointed out the effects which a positive act of international assertion in behalf of a just cause and well-disposed associates would have upon China by taking attention off her endless factional conflicts. When I touched upon the ethical phases of the matter, the President fully agreed with me. I had particularly impressed upon him the need of prompt action in order that counsels might not be confused by adverse influences from without.

General Tuan Chi-jui

We next drove to the residence of the Premier, General Tuan Chi-jui, who was then playing an important part in the politics of China. . . . Despite his real indolence, his wisdom, his fundamental honesty, and his readiness to shield his subordinates and to assume responsibility himself have made this quiet and unobtrusive man the most prominent leader among the Chinese militarists. His interest centres chiefly in the education of military officers. He is no politician and is bored by political theory. He is always ready to turn over the handling of affairs to subordinates, by whom he is often led into a course which he might not himself have chosen. This, coupled with extraordinary stubbornness, accounts for his influence often tending to be disastrous to his country. His personality, however, with its simplicity and pensiveness, and his real wisdom when he lets his own nature guide him, make him one of the attractive figures of China. . . .

But on this occasion General Tuan was all attention. He had with him Mr. C. C. Wu of the Foreign Office, who continued throughout these negotiations to act as interpreter. . . . General Tuan was far from accepting the proposal at first sight. . . .

Far into that night I was in conference with the legation staff, and with certain non-official Americans and Britishers of great influence among the Chinese. These men looked with enthusiasm upon the idea of an association with the United States, aligning against Germany the vast population of China. . . . We felt, also, that through positive alliance with the declared policy of the United States, China would greatly strengthen herself internally and externally.

Dr. John C. Ferguson addressed himself directly to the Premier and the President, his thorough knowledge of Chinese enabled him to bring home to them the essential points in favour of prompt action. Mr. Roy S. Anderson and Mr. W. H. Donald, an Australian acting as editor of the *Far Eastern Review*, who were close to the members of the Communications Party and the Kuo Min Tang, addressed themselves especially to the leaders in parliament. Dr. G. E. Morrison, the British adviser of the President of China, had long worked to have China join in the war: he quietly used all his influence with the President and high officials, in order to make them understand what was at stake. Other Americans and British newspapermen, like Charles Stevenson Smith and Sam Blythe, who happened to be in Peking, all tirelessly working in their own way with men whose confidence they enjoyed, urged the policy proposed by America. These men made a spontaneous appeal based upon the fundamental justice of the policy of

resisting an intolerable practice, and on the beneficent effect which a great issue like this would have in pulling the Chinese nation together and in making it realize its status as a member of the family of nations. However, what counted most with the Chinese was the fact that America had acted, and had invited China to take a similar step. . . .

China's problems, 1917

The fact that Japan had already made efforts to assure for herself the right to speak for China was worrying the Chinese. With the Premier, as with the President, the idea that, through breaking with Germany, China could assure herself of an independent position at the peace table, had much weight. Both men also faced the possibility of being drawn into the war. The Premier appeared to regard this with a certain degree of positive satisfaction; to the President it seemed a less agreeable prospect. . . .

Intensive discussions were going on all day Monday and deep into the night among Chinese officials and the leaders of parliament. I received calls on Tuesday from many Chinese leaders who wished to talk over the situation. . . .

In the cabinet, Dr. Chen Chin-tao, the Minister of Finance, and Mr. C. C. Wu, representing the Minister for Foreign Affairs, from the earliest moment associated themselves with those of the opinion that China must act, and then led the younger officials. In the Kuo Min Tang, Mr. C. T. Wang, vice-president of the Senate; Dr. Wang Chung-hui, the leading jurist of China; and General Niu Yung-chien, of revolutionary fame, were the first to become active. The Peking *Gazette*, with its brilliant editor, Eugene Chen, came out strongly in favour of following the United States. A powerful public opinion was quietly forming among the Chinese. The Young China party was beginning to see the advantage which lay in having China emerge from her passivity.

When I returned from a dinner with the Alstons at the British Legation on Tuesday night, Mr. C. C. Wu brought me word from the cabinet that it would be quite impossible to take action unless the American Government could adequately assure China assistance in bearing the responsibilities which she might incur, without impairment of her sovereign rights and the independent control of her national forces.

The Chinese ministers had in mind two things: In the first place, the need of financial assistance, in order to make it possible for China eventually to participate in the war, if that should be desired; and, second, the prevention of all arrangements whereby Chinese natural resources, military forces, arsenals, or ships, would be placed under foreign control incompatible with her undiminished national independence. . . .

(On Wednesday, February 7th, Minister Reinsch drew up a note in which he assured the Chinese officials that the attitude of the American Government to China, in case the latter followed America's lead, would be liberal and just. He pointed out that on account of the powers of the American Congress he could not make "definite commitments"; he added however that he felt "warranted in assuming the responsibility of assuring you in behalf of my Government that by the methods you have suggested, or otherwise, adequate means will be devised to enable China to fulfill the responsibilities consequent upon associating herself with the action of the United States Government, without any impairment of her national independence and of her control of her military establishment and general administration." On Thursday morning the American Minister met the Premier, and representatives of the departments of Foreign Affairs, Finance, War, and Navy at the cabinet office where affairs were discussed until noon.)

China decides to protest to Germany

. . . The cabinet sat until six in the evening. Shortly after six I received a telephone call from Mr. C. C. Wu, who said: "I am very happy to tell you that the cabinet has decided to make a protest to Germany, and to indicate that diplomatic relations will be broken off unless the present submarine warfare is abandoned."

It is interesting to remember, as the publication of the Russian secret archives has shown, that on this very day the Japanese Minister for Foreign Affairs was urging the Russian ambassador at Tokyo to get from his government assurances of various benefits (including Shantung) to come to Japan if she undertook the supposedly difficult task of inducing China to join the Allies. Japan was thus asking a commission for persuading the Chinese to join the Allies, although they were willing to do so freely of their own accord, as their action this day showed.

The Chinese had made a great decision. These men had acted independently upon their own judgement of what was just and in the best interests of their own nation. It was the act of a free government, without a shadow of attempt at pressure, without a thought of exacting compensations on their part. . . . Incidentally, this was China's first independent participation in world politics. She had stepped out of her age-long aloofness and taken her place among the modern nations. . . .

In his formal note to me, dated February 9th, the Minister for Foreign Affairs declared:

The Chinese Government being in accord with the principles set forth in Your Excellency's note and firmly associating itself with the Government of the United States of

America, has taken similar action by protesting energetically to the German Government against the new measures of blockade. The Chinese Government also proposes to take such action in the future as will be deemed necessary for the maintenance of the principles of international law.

On the same day a formal note of protest was dispatched to the German minister.

The entire cabinet reported on February 10th to a secret session of parliament on the diplomatic action it had taken. The report was well received; only a few questions were asked concerning the procedure which had been followed. Parliament did not take a vote on this matter, as it was considered to be an action by the cabinet within the range of its legal functions.

On February 28, the Allied Ministers presented a memorandum to the Chinese government in which it was shown that they approved of the action taken in reference to Germany; it was stated that in case diplomatic relations between China and Germany were broken the questions of suspending payments of the Boxer indemnity, and the revision of the customs tariff would be considered favorably by the Allied Powers. On March 14 the diplomatic break came.

Unfortunately the question of a declaration of war was deeply involved in domestic politics: strife between the military faction, of which the Premier Tuan Chi-jui was one of the leaders, the president, and the parliament resulted in a restoration to the throne for six days of the ex-emperor Hsüan Tung, the flight of President Li, the elevation of Vice President General Feng Kuo-chang to the presidency, and the practical dictatorship, for the time being, of the Premier, General Tuan Chi-jui.

440. Reasons for and against China's entering the war

Having taken two steps, the next move was to declare war. Here, however, appeared many difficulties. . . .

The reasons in favour of the declaration seemed to be four in number. First, the intelligent Chinese sympathized deeply with the cause of the Allies, especially in their championing the rights of small or weak nations, with the protection

Sympathy with the Allies

of such countries from aggression and the assurance to them of the right to work out their own destinies unafraid. This formula seemed to fit the facts of China's relationships in the Orient. She was trying to build up a republic; she had made many costly mistakes; but ultimate success seemed possible if she could be protected from attack by predatory powers. The Allies promised such protection to all such weak nations, and China could not but be in sympathy with their aims.

Desire for a seat at the Peace Conference

Secondly, China desired a place in the Peace Conference which would be held at the close of the war. There were many questions affecting its own territory and rights which would come up then, and China desired a voice in their settlement. The German rights in Shantung which seemed likely to fall to Japan; the subject of the Twenty-one Demands; the future of the Boxer Indemnity; the principle of extraterritoriality and foreign control of some of China's sovereign rights; all these and many other matters might be reviewed at this future conference. China wished to be heard there, and the best hope of securing a place at the Council Table seemed to lie in joining the Allies.

Influence of the United States

China has always been influenced by the United States. . . . The Chinese Republic was striving after American ideals of freedom and democracy, and in shaping its international policy it was ready to listen to America's voice. Moreover, the American Minister at Peking, Dr. Paul S. Reinsch, had a wide influence among Chinese officials. Thus, when the United States severed relations with Germany, China at once followed suit; when America declared war in April, the Chinese leaders were ready to do the same, and were delayed only by the internal situation which at once arose.

Party politics

In the fourth place, the joining of the Allies seemed to promise to the party in power which made this decision, considerable advantages in strength and prestige, and the Chinese politicians were not slow to grasp this fact.

Liang Chi-chao and the war

An example of the reasoning of those in favour of a declaration of war was that of the scholar Liang Chi-chao. . . .

"The peace of the Far East was broken by the occupation of Kiaochow by Germany. This event marked the first step of the German disregard for international law. In the interests of humanity and for the sake of what China has passed through, she should rise and punish such a country, that dared to disregard international law. Such a reason for war is certainly beyond criticism.

". . . Some say that China should not declare war on Germany until we have come to a definite understanding with the Entente Allies respecting certain terms. This is

indeed a wrong conception of things. We declare war because we want to fight for humanity, international law and against a national enemy. It is not because we are partial towards the Entente or against Germany or Austria. International relations are not commercial connexions. Why then should we talk about exchange of privileges and rights? As to the revision of customs tariff, it has been our aspiration for more than ten years and a foremost diplomatic question, for which we have been looking for a suitable opportunity to negotiate with the foreign Powers. It is our view that opportunity has come because foreign Powers are now on very friendly terms with China. It is distinctly a separate thing from the declaration of war. Let no one try to confuse the two.

". . . In conclusion I wish to say that whenever a policy is adopted we should carry out the complete scheme. If we should hesitate in the middle and become afraid to go ahead we shall soon find ourselves in an embarrassing position. The Government and Parliament should therefore stir up courage and boldly make the decision and take the step."

Arguments against China's participation in the war

Opposed to the four general reasons given for participation on the side of the Allies, there were five groups of arguments. The first was the difficulty China had in reconciling the professed aims of the Allies with its experienced relations with Japan. Rightly or wrongly, for the past twenty years, China had stood in mortal terror of its island neighbour. It had lost to it Formosa, Korea, portions of Manchuria and Mongolia, Tsingtao and the German holdings in Shantung, and had just recently gone through the humiliation of the Twenty-one Demands. The Allied program in Europe called for reparation and restitution for international injuries; China could not understand why this principle should not be accepted in Asia, especially as it applied in its relations with Japan. The existing Terauchi government professed to be friendly to China, but the Chinese felt that such a friendly attitude could not now be reciprocated, unless reparation were made for the acts of the past. Thus fear of Japan was an undoubted obstacle to China's believing in the Allied aims as applied to the Orient.

In the second place, the Chinese were still afraid of Germany's power and feared the eventual vengeance of its army if China should dare to declare war. German propaganda had skilfully magnified German successes and Allied losses, and in 1917 the average Chinese believed firmly that Germany would win the war. German officers had trained the Chinese army, as they had the Japanese troops, and they stood for military efficiency and power in the eyes of the Chinese.

Furthermore, Germany, despite its harsh treatment in the past, had energetically and cleverly conducted a campaign to win the favour of the Chinese, sending out consuls and diplomatic officials who were scholars in Chinese literature and philosophy with sufficient funds to entertain Chinese officials as they like to be entertained; on the other hand, the Allies had at various times, perhaps unconsciously, offended the Chinese. . . .

In the fourth place, the younger progressive element of the republic feared the new power which would accrue to the more conservative party in control of the government at the time of the war-decision. They were afraid that the new power would be used as Yuan Shih-kai had used the financial support of the five Powers in 1913, to restrict and harm the more democratic tendencies of the Republic.

Other factors were a realization that their own military power was slight, and a fear of "losing face" by comparison with the Allies; the fear that food prices would increase; the devotion to peace, which is deep rooted in the nation; and finally the policy of "proud isolation," which until recent years had marked all China's relations with other nations. . .

On August 14, President Feng Kuo-chang issued the proclamation in which the Chinese government formally declared war upon Germany and Austria-Hungary. This was thirteen days after his arrival in Peking and his assumption of the presidency.

**441. Presidential proclamation making declaration of war against Germany and Austria-Hungary—August 14, 1917**

On the 9th day of the 2nd month of this year we addressed a protest to the German Government against the policy of submarine warfare inaugurated by Germany, which was considered by this Government as contrary to international law, and imperilling neutral lives and property, and declared therein in case the protest be ineffectual we would be constrained, much to our regret, to sever diplomatic relations with Germany.

Contrary to our expectations, however, no modification was made in her submarine policy after the lodging of our protest. On the contrary, the number of neutral vessels and belligerent merchantmen destroyed in an indiscriminate manner were daily increasing and the Chinese lives lost were numerous. Under such circumstances, although we might yet remain indifferent and endure suffering, with the meagre hope of preserving a temporary peace, yet in so doing, we would never be able to satisfy our people who are attached

to righteousness and sensible to disgrace, nor could we justify ourselves before our sister States which had acted without hestitation in obedience to the dictates of the sense of duty. Both here as well as in the friendly Powers the cause of indignation was the same, and among the people of this country there could be found no difference of opinion. This Government, thereupon, being compelled to consider the protest as being ineffectual, notified, on the 16th day of the 3rd month, the German Government of the severance of the diplomatic relations and at the same time the events taking place from the beginning up to that time were announced for the general information of the public.

China's interest in international law

What we have desired is peace; what we have respected is international law; what we have to protect are the lives and property of our own people. As we originally had no other grave causes of enmity against Germany, the German Government, if she had manifested repentance for the deplorable consequences resulting from its policy of warfare, she might still be expected to modify that policy in view of the common indignation of the whole world. That was what we eagerly desired, and it was the reason why we felt reluctant to treat Germany as a common enemy. Nevertheless, during the five months following the severance of the diplomatic relations the submarine attacks continued in operation as vigorously as before. It is not Germany alone, but Austria-Hungary as well, which adopted and pursued this policy without abatement. Not only has international law been thereby violated, but also our people are suffering injury and loss. The most sincere hope on our part to bring about a better state of affairs is now shattered.

Therefore, it is hereby declared, against Germany as well as Austria-Hungary, that a state of war exists commencing from 10 o'clock of this, the 14th day of the 8th month of the 6th year of the Republic of China.

In consequence thereof all treaties, agreements, conventions, concluded between China and Germany and between China and Austria-Hungary are, in conformity with the law of nations and international practice, all abrogated. This Government, however, will respect the Hague Conventions and her international agreements respecting the humane conduct of war.

The chief object in our declaration of war is to put an end to the calamities of war and to hasten the restoration of peace which it is hoped our people will fully appreciate. Seeing, however, that our people have not yet at the present time recovered from sufferings on account of the recent political disturbances and that calamity again befalls us in the breaking out of the present war, I, the President of this

Republic, cannot help having profound sympathy for our people when I take into consideration their further suffering. I would never resort to this step of striving for the existence of our nation, unless and until I, considering it no longer avoidable, were finally forced to this momentous decision.

I cannot bear to think that through us the dignity of International Law should be impaired, or the position in the family of nations should be undermined or the restoration of world peace and happiness should be retarded. It is, therefore hoped that all of our people will exert their utmost in these hours of hardship, with a view to maintaining and strengthening the existence of the Chinese Republic, so that we may establish ourselves amidst the family of nations and share with them the happiness and benefits derived therefrom.

An account has been given previously of the development of the "open-door policy" for China and of the interest which America has shown in China's maintaining her "territorial and administrative integrity." On every occasion that has threatened the safety of this doctrine the United States has not hesitated to let it be known that the principle of equal opportunity must be maintained.

In 1907, a year and a half before he became president of the United States, Mr. William H. Taft, then Secretary of War, visited Japan, and came to a verbal understanding with the Japanese government for maintaining the *status quo* in the Far East. Despite this, the reports of American consular and diplomatic officials in the East showed that Japan was not acting in accordance with the principles of the "open door." Accordingly, a year later, and while the American fleet was visiting the Far East, a written understanding was arrived at by an exchange of notes between Secretary of State Root and Ambassador Takahira. In these, both governments further agreed to uphold the principles of the "open door" in the Far East.

442. The Root-Takahira Notes of 1908
Ambassador Takahira to Secretary of State Root

IMPERIAL JAPANESE EMBASSY,
WASHINGTON,
November 30, 1908.

SIR:

The exchange of views between us, which has taken place at the several interviews which I have recently had the honor of holding with you, has shown that Japan and the United States holding important outlying insular possessions in the region of the Pacific Ocean, the Governments of the two countries are animated by a common aim, policy, and intention in that region.

Believing that a frank avowal of that aim, policy, and intention would not only tend to strengthen the relations of friendship and good neighborhood, which have immemorially existed between Japan and the United States, but would materially contribute to the preservation of the general peace, the Imperial Government have authorized me to present to you an outline of their understanding of that common aim, policy, and intention:

1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.

2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned and to the defense of the principle of equal opportunity for commerce and industry in China.

3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.

4. They are also determined to preserve the common interest of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.

5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

If the foregoing outline accords with the view of the Government of the United States, I shall be gratified to receive your confirmation.

I take this opportunity to renew to Your Excellency the assurance of my highest consideration.

K. TAKAHIRA.

HONORABLE ELIHU ROOT,
*Secretary of State.*

443. The Root-Takahira Notes: Secretary Root to Ambassador Takahira

Department of State,
*Washington, November 30, 1908.*

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of to-day setting forth the result of the exchange of views between us in our recent interviews defining the understanding of the two Governments in regard to their policy in the region of the Pacific Ocean.

It is a pleasure to inform you that this expression of mutual understanding is welcome to the Government of the United States as appropriate to the happy relations of the two countries and as the occasion for a concise mutual affirmation of that accordant policy respecting the Far East which the two Governments have so frequently declared in the past.

I am happy to be able to confirm to Your Excellency, on behalf of the United States, the declaration of the two Governments embodied in the following words:

1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.

2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned, and to the defense of the principle of equal opportunity for commerce and industry in China.

3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.

4. They are also determined to preserve the common interests of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.

5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

Accept, Excellency, the renewed assurance of my highest consideration.

ELIHU ROOT.

His Excellency,
BARON KOGORO TAKAHIRA,
*Japanese Ambassador.*

The inclusion above of the Root-Takahira Notes will serve to show that the signing of the Lansing-Ishii Agreement on November 2, 1917, however unwise some people may have considered it, was by no means a departure from the policy of the "open door" hitherto maintained by the American Department of State. Commenting on this agreement, Mr. W. R. Wheeler in his *China and the World-War* says: "There were three general reasons for the formulation of this agreement. The first was the apprehension of America and of the world in general concerning Japanese intentions in China. . . . Another reason, which was not so generally recognized, was Japan's apprehension concerning America's intentions in China. Japan had long cherished the hope of becoming the recognized leader of the Orient. Especially did it desire unquestioned supremacy in its leadership over China. During the past two years the United States had taken certain action which seemed to question its leadership. At the time of the Twenty-one Demands, as already stated, America was the only nation to protest against any infringement of China's rights. In the summer of 1917, during the turmoil which accompanied the attempt to overthrow the Republic and to restore the Manchus, the United States had sent definite advice to China concerning the situation. . . . A third factor was the need of the Allies for closer co-operation as a result of the loss of Russia from their ranks. There was a decided need of unity of counsel and of effort, if the handicap of this loss were to be overcome. . . . There seems reason for the belief that a certain amount of pressure was brought to bear on America to recognize the aspirations of Japan in China. This America apparently attempted to do with justice to China in the Lansing-Ishii Agreement."

444. The Lansing-Ishii Notes of 1917: Secretary of State Lansing to Viscount Ishii

Department of State,
*Washington, November 2, 1917.*

EXCELLENCY:

I have the honor to communicate herein my understanding of the agreement reached by us in our recent conversations touching the questions of mutual interest to our Governments relating to the Republic of China.

In order to silence mischievous reports that have from time to time been circulated, it is believed by us that a public announcement once more of the desires and intentions shared by our two Governments with regard to China is advisable.

The Governments of the United States and Japan recognize that territorial propinquity creates special relations between countries, and, consequently, the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous.

The territorial sovereignty of China, nevertheless, remains unimpaired and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that while geographical position gives Japan such special interests they have no desire to discriminate against the trade of other nations or to disregard the commercial rights heretofore granted by China in treaties with other Powers.

The Governments of the United States and Japan deny that they have any purpose to infringe in any way the independence or territorial integrity of China and they declare, furthermore, that they always adhere to the principle of the so-called "Open Door" or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

I shall be glad to have Your Excellency confirm this understanding of the agreement reached by us.

Accept, Excellency, the renewed assurance of my highest consideration.

ROBERT LANSING.

His Excellency,
VISCOUNT KIKUJIRO ISHII,
*Ambassador Extraordinary and*
*Plenipotentiary of Japan, on Special Mission.*

445. The Lansing-Ishii Notes of 1917: Viscount Ishii to Secretary Lansing

The Special Mission of Japan,
*Washington, November 2, 1917.*

SIR:

I have the honor to acknowledge the receipt of your note of to-day, communicating to me your understanding of the agreement reached by us in our recent conversations touching the questions of mutual interest to our Governments relating to the Republic of China.

I am happy to be able to confirm to you, under authorization of my Government, the understanding in question set forth in the following terms:

In order to silence mischievous reports that have from time to time been circulated, it is believed by us that a public announcement once more of the desires and intentions shared by our two Governments with regard to China is advisable.

The Governments of Japan and the United States recognize that territorial propinquity creates special relations between countries, and, consequently, the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous.

The territorial sovereignty of China, nevertheless, remains unimpaired and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that while geographical position gives Japan such special interests they have no desire to discriminate against the trade of other nations or to disregard the commercial rights heretofore granted by China in treaties with other Powers.

The Governments of Japan and the United States deny that they have any purpose to infringe in any way the independence or territorial integrity of China and they declare, furthermore, that they always adhere to the principle of the so-called "Open Door" or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

I take this opportunity to convey to you, Sir, the assurances of my highest consideration.

K. ISHII,
*Ambassador Extraordinary and Plenipotentiary of Japan on Special Mission.*

HONORABLE ROBERT LANSING,
*Secretary of State.*

Formal notification to the Chinese government of the conclusion of the Lansing-Ishii Agreement was made on November 8, 1917; at the same time, an accompanying note explained the meaning which the American government attached to the term "special interests in China," as used in the notes: "Japanese commercial and industrial enterprises in China manifestly have, on account of the geographical relation of the two countries, a certain advantage over similar enterprises on the part of the citizens or subjects of any other country." Attention was drawn to the fact that the policy of the "open door" was reaffirmed, and that "a principle of non-interference with the sovereignty and territorial integrity of China" had been introduced.

The Chinese government, apparently mindful of Japan's protestations in reference to the independence of Korea, and the effects of the Anglo-Japanese Alliance, replied on November 9, as follows:

446. Memorandum of the Waichiaopu on the Lansing-Ishii Notes

*Washington, November 12, 1917.*

The Government of the United States and the Government of Japan have recently, in order to silence mischievous reports, effected an exchange of notes at Washington concerning their desires and intentions with regard to China. A copy of the said notes have been communicated to the Chinese Government by the Japanese Minister at Peking, and the Chinese Government, in order to prevent misunderstanding, hastens to make the following declaration so as to make known the view of the Government:

The principle adopted by the Chinese Government toward the friendly nations has always been one of justice and equality, and consequently the rights enjoyed by the friendly nations derived from the treaties have been consistently respected, and so even with the special relations between countries created by the fact of territorial contiguity but only in so far as they have already been provided for in her existing treaties.

Hereafter the Chinese Government will still adhere to the principle hitherto adopted, and hereby it is again declared that the Chinese Government will not allow itself to be bound by any agreement entered into by other nations.

In some quarters the signing of the Lansing-Ishii Notes was hailed as a brilliant stroke of diplomacy for the American government, inasmuch as the "open-door policy" was reaffirmed at a time when it seemed that it might shortly become a dead letter. In other sections, however, the agreement was bitterly assailed on the ground that Japan was given an undue advantage by the "territorial propinquity" concession. That the exact meaning of the term "special interests" was liable to misinterpretation is shown in the two following selections:

**447. How the Japanese announced and interpreted the agreement**

The Lansing-Ishii Agreement was signed at Washington on November 2. The two governments had agreed that the notes were to be published simultaneously at Washington and Tokio at a stated hour on November 7. The Japanese Government, however, gave the agreement premature publicity. . . .

On November 4 the Japanese legation at Peking officially notified the Chinese foreign office of the agreement and presented it with copies of the text in Chinese and Japanese. On the same day Baron Hayashi, the Japanese minister at Peking, called at the American legation and gave the American minister, Dr. Reinsch, a copy of the notes in English.* There is no doubt that this procedure was deliberately calculated to impress the Chinese Government that the United States Government had to some extent conceded Japan's paramountcy in China, and therefore it was Japan's prerogative officially to notify both the Chinese foreign office and the American legation of this important matter.

A very significant point in connection with the communication of the agreement to the Wai Chiao-Pu by the Japanese minister at Peking is that both the Japanese and Chinese texts used certain characters (li-i) to translate the "special interests" of Japan that are recognized by the United States in the instrument. In the translation submitted to the Wai Chiao-Pu later by the American legation as the official text recognized by the American Government, different characters (kuan-hsi) were used to describe the "special interests" that were recognized. The characters mean almost the same thing, yet with a distinction. As translated

* An error. Cf. Minister Reinsch's account.

by the Japanese version, "special interests" indicate vested interests or proprietorship, something tangible. In the American version, "special interests" means merely a close or strong general interest in the welfare of China, not a particular or vested proprietary or paramount interest. Having gotten the "jump" by prematurely giving publicity to the agreement, Japan was enabled by the extensive Japanese press propaganda in China to give out the Japanese version for publication in the Chinese press, and thus created a presumption regarding the meaning of the agreement that accords with Japan's interpretation of it. After the American interpretation had been given out, and published in the Chinese press, the Japanese legation made an effort to induce the American legation to accept the Japanese translation and amend the American version, but that was declined. Nevertheless, the inspired Chinese newspapers under Japanese control positively refuted the American version, and denied its authenticity, stating that the Japanese version was the correct one, as only Japan had the right to decide upon the meaning of the agreement.

Minister Reinsch's account of the way in which he learned of the Lansing-Ishii Agreement and of the way in which the news of the arrangement was received in China has value not only as a source of information but also as a sidelight on diplomacy and world politics.

**448. Minister Reinsch's account of the reception of the notes in China**

It was in rather an indirect way that I learned of the secret negotiations which had been going on between the head of the State Department in Washington and the Japanese Government. Since these negotiations concerned some of the most vital problems in the whole Chinese situation, it was surprising that everyone had been kept in ignorance of them. I learned of them, I confess with mingled emotions, from none other than Baron Hayashi himself. I called on him on the evening of November 4th; and, after going over the matter of routine which I had wished to take up with him, I remained chatting pleasantly with him. In the course of our talk the Baron remarked: "I have just received some information that is quite important, and I want you to know about it. Let me get the cablegram."

He brought a paper and handed it over to me without comment. It was a cablegram from Tokyo that informed him of the signing of the Lansing-Ishii notes, and gave a summary of their text. The first paragraph contained the

vital clause: "The Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous. "This naturally struck me in the face with stunning force, before I had time to weigh its meaning in relation to the remainder of the declaration. I read the dispatch twice and made an effort to impress its salient points on my memory, and then turned to my Japanese colleague attempting to retain my composure.

"Yes," I managed to say, "this is quite interesting. It is somewhat in line with conversations we have had, yet differs in some respects."

I forced myself to remain a little longer and tried to continue the matter-of-fact conversation which this astounding piece of news had interrupted. When I finally took my leave, I was uncertain whether Baron Hayashi did or did not know that I had been unaware of this exchange of notes. Hurrying to the Legation, I dispatched a cablegram to the Department asking that I be informed.

It had been agreed, so the cable from Tokyo had stated, that an announcement of the parley should not be given out until November 7th. But the Japanese minister had already informed the Chinese Foreign Office on Sunday night; and early on Monday its representative called to get my version of the matter.

No word had been sent me. It was inexcusable to fail to give the local representative the earliest possible information, and I intimated as much in my cablegram to the Secretary of State. As the Foreign Office had been fully informed, I could only state to my visitor that I was not authorized to deliver the text until later, and that I was myself still considering the full import of the document, which in certain respects followed lines of policy that had been discussed in the past.

As I could plainly see, the notes had been paraded in the Chinese Foreign Office as yielding important concessions from the United States and as a diplomatic triumph for Japan. I knew nothing of the motives which had animated the President and Secretary of State when they agreed to the paper. I could not explain its purposes; but when my visitor asked: "Does this paper recognize the paramount position of Japan in China?" I could and did answer with an emphatic "No." Beyond that I said nothing.

All that day and the next reports streamed in from many quarters that the Japanese were "crowing over their victory" in their talks with the Chinese. More Chinese officials and many Americans applied at the Legation for authentic word. But no help came from the Department of State. Indeed no word reached me until the morning of the 7th.

It cannot be said that the American secrecy pledge was not punctiliously observed—even to the extent of keeping in ignorance the American minister, who would have to bear the brunt of the consequences of this diplomatic manœuvre. The Japanese, meanwhile, had given the note not only to the Chinese Government several days in advance, but—was it out of abhorrence for secret dip omacy?—even before the notes had been signed their text was communicated to the representatives of Great Britain, Russia, France, and Italy. This was done at Tokyo.

It is not surprising that this procedure produced upon the Chinese the impression that the Japanese had got what they wanted. They thought the declarations made by the United States contained admission of a special position held by Japan in China, not desired by the latter, but forced through by the military and political power of Japan.

The reception given the note by Far Eastern experts and by the public indicated that it would be interpreted in widely varying fashion. . . . In the first place, the Japanese Legation, in translating for the benefit of the Chinese Ministry, had used for "special interest" a Chinese term which implied the idea of "special position." Doctor Tenney's more direct translation of the term was without this extra shade. The Department authorized me to deliver an explanatory note to the effect that the interests referred to were of an economic, not a political, nature. It referred to "Japan's commercial and industrial enterprises in China"; these, it added, "manifestly have, on account of the geographical relation of the two countries, a certain advantage over similar enterprises on the part of citizens or subjects of any other country." . . .

The Japanese minister, though disclaiming a reading which would imply a paramount interest, evidently saw in the notes an endorsement of the principle of spheres of influence. "The notes speak for themselves," he said in an interview on the 8th of November; "they simply again place on record the acknowledged attitude of the United States and Japan toward China. They are simply a restatement of an old position. Even the term 'special interests' is doubtless used in the same sense here as in the past. Several other countries have territory that borders on China; this fact gives them a special interest in these parts of China which they touch. In exactly the same way, Japan has special rights in China." . . .

I have said that I could not see the need of these notes. Failing to receive instructions which I sought from the Department of State, I continued to take the position that the policy of the American Government remained unchanged with respect to the existence of a special position or special

privileges on the part of any other power in China. But the immediate effect of the notes on the Chinese Government was to make its high officials feel that nothing very positive could be expected from the United States by way of assistance out of the nation's difficulties.

The general and continuing effect of the notes was seen in the behaviour of the Japanese in China. The Japanese papers boldly declared that Japan would interpret the term "special interests" in a way to suit herself, and that it implied the supremacy of Japanese political influence in China. . . .

After China declared war on Germany and Austria on August 14, 1917, an opportunity to aid the Allies in a military way presented itself on account of the Russian Revolution and the subsequent rise of Bolshevism. Fear of Germany's spread of economic power in Russia and Siberia, and a desire to aid a large number of Czecho-Slovak war prisoners who had revolted against the Russian Bolsheviks and the Germans in Russia and Siberia, led the Allies to dispatch an expeditionary force to Siberia. American, British, Italian, French, Chinese, and Japanese soldiers participated.

Japan felt that it was necessary to have the support of China in making a move to the north. Accordingly the following military and naval agreements were concluded on May 16, 1918, and May 19, 1918, respectively. Announcement of the agreements was made at Tokyo on May 30, 1918.

449. Text of the Military Agreement, May 16, 1918, between China and Japan

1.—China and Japan, realizing the fact that the gradual extension of enemy influence towards the East may jeopardize the peace of the two countries, consider it their mutual duty, as participants in the war, to take concerted action against the common enemy.

2.—As regards military coöperation, each country shall pay due respect to the prestige and interests of the other country, and both parties shall be considered to be on an equal footing.

3.—When the time comes to take action in accordance with this agreement the two countries shall instruct their

military and civil officials and people to adopt a friendly attitude towards those of the other country in the military areas. The Chinese officials shall do their best to aid the Japanese troops in the said areas so that no obstacles shall arise to impede their movements, and the Japanese troops shall respect the sovereignty of China, and shall not be allowed to act in a manner contrary to local customs and cause inconvenience to the people.

4.—The Japanese troops in Chinese territory shall be withdrawn as soon as military operations cease.

5.—Whenever troops have to be despatched outside Chinese territory, the two countries shall despatch them jointly whenever necessary.

6.—The military areas and other matters relating to the military operations shall be decided by the military authorities of the two countries whenever necessary, in accordance with the military strength of each country.

7.—In order to facilitate matters, in the course of the military coöperation the military authorities of the two countries shall observe the following arrangements:—

(*a*) In regard to the making of all arrangements for carrying on military operations, both countries shall appoint deputies who shall arrange all matters regarding coöperation.

(*b*) In order to secure rapid transportation by land or water and rapid communication, both sides shall coöperate to this end.

(*c*) When occasion arises the two commanders-in-chief shall arrange all necessary military constructions such as military railways, telegraph and telephone lines. These shall all be removed at the conclusion of the military operations.

(*d*) Regarding the necessary military supplies and materials required for taking concerted action against the enemy, the two countries shall supply each other to such an extent as not to affect the supplying of ordinary demands.

(*e*) The two countries shall assist each other in carrying out sanitary measures for the troops in the military areas.

(*f*) With regard to the question of military experts for direct military operations, should the necessity arise for mutual assistance, if one country requests the assistance of such experts the other shall supply it.

(*g*) In the areas in which military operations are taking place intelligence agencies may be established, and the two countries shall exchange important military maps and military reports. The intelligence agencies of the two countries shall exchange information and render mutual assistance.

(*h*) All secret passwords shall be agreed upon mutually. The questions as to which of the above arrangements shall be considered first, and which shall be first entered upon shall

be mutually arranged in a separate agreement, before the actual commencement of hostilities.

8.—When military transportation necessitates the use of the Chinese Eastern Railway, the provisions in the original treaty regarding the management and protection of the said railway shall be respected. The methods of transportation shall be decided upon at the time.

9.—Regarding the enforcement of the details in this agreement, it shall be decided upon by delegates appointed by the military authorities of the two countries.

10.—This agreement and the supplementary articles therein shall not be published by the two Governments, but shall be considered as military secrets.

11.—This agreement shall be signed and sealed by the military delegates of the two countries and recognised by the two Governments before it becomes operative. The time for commencing actual military operations shall be decided by the highest military organs of the two countries.

This agreement and all the details arising from this agreement shall become null and void as soon as the military operations of China and Japan against the enemy countries of Germany and Austria come to an end.

12.—Two copies of this agreement shall be written in the Chinese language, and two corresponding copies in the Japanese language, and each party shall keep one copy of the agreement in each language. Peking, May 16th of the 7th year of the Republic of China: May 16th of the 7th year of Taisho (1918).

**450. Text of the Naval Agreement, May 19, 1918, between China and Japan**

1. [Same as Article 1 of Military Agreement.]
2. [Same as Article 2 of Military Agreement.]

3.—When the time comes to take action in accordance with this agreement the two countries shall instruct their naval officers and all officials and people to adopt a friendly attitude toward those of the other country in the military areas, and mutually assist each other with a view to overcoming the enemy.

4.—A separate agreement shall be drawn up regarding the field of activity and the duties of the participants when the time comes for taking action against the enemy.

5.—When the time comes for action the naval authorities of China and Japan shall coöperate whith a view to taking efficient measures as follows:—

(*a*) [Same as Section (*a*) of Article 7, Military Agreement.]

(*b*) [Same as Section (*b*) of Article 7, Military Agreement.]

(*c*) In all matters relating to shipbuilding and repairs and naval equipment and supplies, both countriess hall mutually assist, each according to its power. This also applies to necessary military articles.

(*d*) [Same as Section (*f*) of Article 7 of Military Agreement.]

(*e*) [Same as Section (*g*) of Article 7 of Military Agreement. Substitute *naval* for *military* wherever used.]

(*f*) [Same as Section (*h*) of Article 7 of Military Agreement.]

6. [Same as Article 9 of Military Agreement, except that *naval* should be substituted for *military* wherever used.]

7. [Same as Article 10, with *naval* substituted for *military*.]

8. [Same as Article 11, with *naval* substituted for *military*.]

9. [Same as Article 12.]

7th year of the Chinese Republic, 5th month, 19th day.
7th year of the Japanese Ta Cheng [Taisho], 5th month, 19th day.

The Treaty of Versailles between Germany and the Allies was signed on June 28, 1919. China's Delegation to the Peace Conference, the leaders of which were Messrs. Lu Tseng-tsiang, and Chengting Thomas Wang, refused to sign the treaty on account of the articles relating to Shantung.

Several of the more important parts of the treaty relating to China are given below.

It should be noted that China signed the treaty of peace with Austria, at St. Germain, on September 10, 1919; in this way she became a member of the League of Nations.

451. The Versailles Treaty—China

## PART IV, SECTION II

### China

Article 128.—Germany renounces in favour of China all benefits and privileges resulting from the provisions of the final Protocol signed at Peking on September 7, 1901,

and from all annexes, notes and documents supplementary thereto. She likewise renounces in favour of China any claim to indemnities accruing thereunder subsequent to March 14, 1917.

ARTICLE 129.—From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them respectively:

(1) The Arrangement of August 29, 1902, regarding the new Chinese customs tariff;

(2) The Arrangement of September 27, 1905, regarding Whang-Poo, and the provisional supplementary Arrangement of April 4, 1912.

China, however, will no longer be bound to grant to Germany the advantages or privileges which she allowed Germany under these Arrangements.

ARTICLE 130. Subject to the provisions of Section VIII of this Part, Germany cedes to China all the buildings, wharves and pontoons, barracks, forts, arms and munitions of war, vessels of all kinds, wireless telegraphy installations and other public property belonging to the German Government, which are situated or may be in the German Concessions at Tientsin and Hankow or elsewhere in Chinese territory.

It is understood, however, that premises used as diplomatic or consular residences, or offices are not included in the above cession, and, furthermore, that no steps shall be taken by the Chinese Government to dispose of the German public and private property situated within the so-called Legation Quarter at Peking without the consent of the Diplomatic Representatives of the Powers which, on the coming into force of the present Treaty, remain Parties to the Final Protocol of September 7, 1901.

ARTICLE 131.—Germany undertakes to restore to China within twelve months from the coming into force of the present Treaty all the astronomical instruments which her troops in 1900–1901 carried away from China, and to defray all expenses which may be incurred in effecting such restoration, including the expenses of dismounting, packing, transporting, insurance and installation in Peking.

ARTICLE 132.—Germany agrees to the abrogation of the leases from the Chinese Government under which the German Concessions at Hankow and Tientsin are now held.

China, restored to the full exercise of her sovereign rights in the above areas, declares her intention of opening them to international residence and trade. She further declares that the abrogation of the leases under which these concessions are now held shall not affect the property rights of nationals of Allied and Associated Powers who are holders of lots in these concessions.

ARTICLE 133.—Germany waives all claims against the Chinese Government or against any Allied or Associated Government arising out of the internment of German nationals in China and their repatriation. She equally renounces all claims arising out of the capture and condemnation of German ships in China, or the liquidation, sequestration or control of German properties, rights and interests in that country since August 14, 1917. This provision, however, shall not affect the rights of the parties interested in the proceeds of any such liquidation, which shall be governed by the provisions of Part X (Economic Clauses) of the present Treaty.

ARTICLE 134.—Germany renounces in favour of the Government of His Britannic Majesty the German State property in the British Concession at Shameen at Canton. She renounces in favour of the French and Chinese Governments conjointly the property of the German school situated in the French Concession at Shanghai.

452. The Versailles Treaty—Shantung

## PART IV. SECTION VIII
## SHANTUNG.

ARTICLE 156.—Germany renounces, in favour of Japan, all her rights, title and privileges—particularly those concerning the territory of Kiaochow, railways, mines and submarine cables—which she acquired in virtue of the Treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the Province of Shantung.

All German rights in the Tsingtao-Tsinanfu Railway, including its branch lines, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant and material for the exploitation of the mines, are and remain acquired by Japan, together with all rights and privileges attaching thereto.

The German State submarine cables from Tsingtao to Shanghai and from Tsingtao to Chefoo, with all the rights, privileges and properties attaching thereto, are similarly acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 157.—The movable and immovable property owned by the German State in the territory of Kiaochow, as well as all the rights which Germany might claim in consequence of the works or improvements made or of the expenses incurred by her, directly or indirectly, in connection with this territory, are and remain acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 158.—Germany shall hand over to Japan within three months from the coming into force of the present Treaty the archives, registers, plans, title-deeds and docu-

ments of every kind, wherever they may be, relating to the administration, whether civil, military, financial, judicial or other, of the territory of Kiaochow.

Within the same period Germany shall give particulars to Japan of all treaties, arrangements or agreements relating to the rights, title or privileges referred to in the two preceding Articles.

Amongst those who were criticized on account of the Shantung clauses in the Treaty of Versailles was President Wilson of the United States. He shared with Lloyd-George and Clemenceau, the Premiers of England and France respectively, the chief power and influence at the Conference. The two European Premiers had allowed themselves to become entangled with secret agreements which weakened their position when the time to make peace arrived. It is manifestly unfair to hold one individual responsible for the mistakes made at a world peace conference. A study of the accounts of this Conference leads one to conclude that President Wilson may have put too much faith in the promises of certain of the members of the Conference, and that he felt that it was a case of compromising on the question or of himself withdrawing, or of possibly allowing Japan to withdraw, from the Conference and thus endangering the whole of the negotiations. The accompanying account is taken from President Wilson's interview with the United States Senate Committee on Foreign Relations, on August 19, 1919.

**453. President Wilson's reasons for agreeing to the Shantung clauses in the Treaty of Versailles**

"Senator Swanson. Can you tell us, or would it be proper to do so, of your understanding with Japan as to the return of Shantung? That is a question which has been very much discussed.

"The President. I have published the wording of the understanding, Senator. I cannot be confident that I quote it literally, but I know that I quote it in substance. It was that Japan should return to China in full sovereignty the old Province of Shantung so far as Germany had had any claims upon it, preserving to herself the right to establish a

residential district at Tsingtao, which is the town of Kiaochow Bay; that with regard to the railways and mines she should retain only the rights of an economic concession there, with the right, however, to maintain a special body of police on the railway, the personnel of which should be Chinese under Japanese instructors nominated by the managers of the company and appointed by the Chinese Government. I think that is the whole of it. . . .

"Senator Johnson of California. Did China enter the war upon our advice—the advice of the United States?

"The President. I can not tell, sir. We advised her to enter, and she soon after did. She had sought our advice. Whether that was the persuasive advice or not, I do not know.

"Senator Johnson of California. Do you recall, Mr. President, that preceding that advice we had asked China as one of the neutral nations, to sever diplomatic relations with Germany?

"The President. Whether we had asked her?

"Senator Johnson of California. Yes, sir.

"The President. I do not recall, Senator. I am sure Mr. Lansing can tell, though, from the records of the department.

"Senator Johnson of California. Do you know, Mr. President, whether or not our Government stated to China that if China would enter the war we would protect her interests at the peace conference?

"The President. We made no promises.

"Senator Johnson of California. No representations of that sort?

"The President. No. She knew that we would as well as we could. She had every reason to know that.

"Senator Johnson of California. Pardon me a further question: You did make the attempt to do it, too; did you not?

"The President. Oh, indeed I did, very seriously.

"Senator Johnson of California. And the decision ultimately reached at the peace conference was a disappointment to you?

"The President. Yes, sir; I may frankly say that it was.

"Senator Johnson of California. You would have preferred, as I think most of us would, that there had been a different conclusion of the Shantung provision, or the Shantung difficulty or controversy, at the Paris peace conference?

"The President. Yes; I frankly intimated that.

"Senator Johnson of California. Did it require the unanimous consent of the members of the peace conference to reach a decision like the Shantung decision?

"The President. Every decision; yes, sir. . . .

"Senator Johnson of California. Yes, sir. Do you mind stating, or would you prefer not, what it was that caused you ultimately to accede to the decision that was demanded by Japan?

"The President. Only the conclusion that I thought it was the best that could be got under the circumstances. . . .

"Senator Brandagee. You could not have got the signature of Japan if you had not given Shantung?

"The President. That is my judgment.

"Senator Brandagee. You say you were notified to that effect?

"The President. Yes, sir.

"Senator Swanson. As I understand, you were notified that they had instructions not to sign unless this was included?

"The President. Yes.

"Senator Borah. And was it your judgment that after the treaty had been ratified, China's rights would be protected and Japan would surrender to China what she said she would?

"The President. Yes.

"Senator Swanson. As I understand it, you consider this verbal agreement effective as relating to Shantung and you understood that this conveyance would be followed by a conveyance to China.

"The President. Not to supersede it, but the action by Japan is to follow."

China having refused to agree to the Treaty of Versailles for good and sufficient reasons brought the war between herself and Germany formally to an end by proclamation of President Hsu Shih-chang.

454. Presidential mandate declaring at an end the state of war between China and Germany, September 15, 1919

With the object of upholding International Law as well as the principles of humanity and actuated by the desire to mitigate the horrors of war and to hasten the conclusion of the peace, the Republic of China declared war on Germany on August 14, in the Sixth Year. Since this country became one of the belligerents, we have been following the same policy as the other Associated Powers. Now hostilities in Europe have ceased and the Peace Treaty with Germany was signed by the delegates of the different Associated Powers on June 28 this year at Paris. By virtue of this, the state of war which had hitherto existed between Germany and the Associated Powers was brought to an end on that day. Dissatisfied with the conditions embodied in three clauses relating

to Shantung, this country refused to sign the Treaty. But it must be remembered that the other terms in the document are as acceptable to us as to other Associated Powers. As the state of war between Germany and other Associated Powers is at an end, it naturally follows that we are now standing in the same relationship with Germany as the other Associated Powers. A resolution to this effect has been passed at a meeting of the Parliament, and we hereby declare that the state of war between Germany and the Republic of China is at an end Let all take note of this.

### *Section 75. China and the Washington Conference*

The Peace Conference at Paris left many questions unsettled. These related to the Far East as well as to Europe and America. Second only to the interest felt in the Shantung controversy was that felt in the possible renewal of the Anglo-Japanese Alliance, which was being discussed intensively in Europe, America, and the Far East during the years 1920 and 1921.

President Harding of the United States authorized the Department of State on July 8, 1921, to make inquiry informally of the governments of Great Britain, France, Italy, and Japan as to whether they would care to participate in a conference in which the questions of limitation of armament, and Pacific and Far Eastern problems should be discussed. These governments responded favorably and, in consequence, a formal invitation was sent to them under date of August 11, 1921, to "participate in a conference on the subjects of Limitation of Armament, in connection with which Pacific and Far Eastern questions will also be discussed, to be held in Washington on the 11th day of November, 1921."

Because of their interests in the Pacific and Far Eastern questions, the governments of Belgium, China, The Netherlands, and Portugal were invited to participate in the discussions to be held on those subjects. The Powers entered the Conference on a basis of equality

as sovereign states; this meant that all definite actions taken by the conference had to be unanimous.

The formal invitation of President Harding as sent by Secretary of State Hughes to the government of China on August 11 follows:

455. President Harding's invitation to the government of China to participate in the Conference, August 11, 1921

The President is deeply gratified at the cordial response to his suggestion that there should be a Conference on the subject of Limitation of Armament, in connection with which Pacific and Far Eastern questions should also be discussed.

It is quite clear that there can be no final assurance of the peace of the world in the absence of the desire for peace, and the prospect of reduced armaments is not a hopeful one unless this desire finds expression in a practical effort to remove causes of misunderstanding and to seek ground for agreement as to principles and their application. It is the earnest wish of this Government that, through an interchange of views with the facilities afforded by a conference, it may be possible to find a solution of Pacific and Far Eastern problems, of unquestioned importance at this time; that is, such common understandings with respect to matters which have been and are of international concern as may serve to promote enduring friendship among our peoples.

It is not the purpose of this Government to attempt to define the scope of the discussion in relation to the Pacific and Far East, but rather to leave this to be the subject of suggestions to be exchanged before the meeting of the Conference, in the expectation that the spirit of friendship and a cordial appreciation of the importance of the elimination of sources of controversy will govern the final decision.

Accordingly, in pursuance of the proposal which has been made, and in the light of the gracious indication of its acceptance the President invites the Government of the Republic of China to participate in the discussion of Pacific and Far Eastern questions, in connection with the Conference on the subject of Limitation of Armament, to be held in Washington on the 11th day of November, 1921.

The Washington Conference was opened on November 12 at Continental Memorial Hall in Washington, D. C. The opening was postponed one day from the date originally set in order that the delegates of the powers

might attend the burial of the Unknown Soldier at Arlington Cemetery on Armistice Day. Plenary sessions and committee meetings continued to February 6, 1922.

China's delegates were Dr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary to the United States of America; Dr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary to the Court of St. James; Dr. Wang Chung-Hui, Chief Justice of the Supreme Court of the Republic of China; and Mr. Wu Chao-Chu. Accompanying these gentlemen in the capacity of superior advisers, secretary general, assistant secretary general, advisers, counselors, technical delegates, directors of departments, assistant director of departments, secretaries, attachés, translators, and clerks were some one hundred thirty other citizens of the republic of China.

The best brief account of the action taken by the delegates to this Conference is to be found in the report of the American Delegation submitted to the president, February 9, 1922. The American delegates were the Honorable Charles Evans Hughes, Secretary of State, who acted as chairman of the Conference; the Honorable Henry Cabot Lodge, Senator; the Honorable Elihu Root, former Secretary of State and Senator of the United States; and the Honorable Oscar W. Underwood, Senator of the United States. Part Second, dealing with Pacific and Far Eastern questions, is included here, in the selections numbering from 456–476.

Commenting upon the fact that on account of the equality of the powers and the resulting unanimity which was required at Washington for the taking of any definitive action, Professor W. W. Willoughby, sometime Legal Adviser to the Chinese Republic, in his *China at the Conference* (pages 2 and 3) has an important explanation in reference to the Twenty-one Demands, and the Siberian

questions: "No argument is needed to show that, as a general proposition, a delegation would suffer a disadvantage by bringing forward a proposal which it was known in advance would not be favorably acted upon by the Conference, for, by failure to obtain action, the existing *status quo* would be rendered all the more fixed. Such being the case, a delegation concerned would be justified in asking of the Conference action which it knew would be refused only if it were convinced that the disadvantage resulting from such a refusal would be more than compensated for by the moral advantage of publicly asserting upon its part a policy that it deemed just and by thus, as it were, bringing before the bar of the conscience of the world these nations that would oppose it, or whose actions past actions had not been consistent with it. In two conspicuous instances the powers concerned deemed it thus desirable to bring before the Conference matters upon which it was practically known that no favorable action could be obtained. The United States Delegation presented a severe indictment of Japan's policies in Eastern Siberia, and the Chinese Delegation brought forward the question of the fundamental validity of the Sino-Japanese Treaties and Agreements of May 25, 1915—those resulting from Japan's 'Twenty-One Demands' upon China."

456. Pacific and Far Eastern questions

When the Conference was called there existed with regard to the Far East causes of misunderstanding and sources of controversy which constituted a serious potential danger. These difficulties centered principally about China, where the developments of the past quarter of a century had produced a situation in which international rivalries, jealousies, distrust, and antagonism were fostered.

The people of China are the inheritors of the oldest extant civilization of the world; but it is a civilization which has followed a course of development different from that of the West. It has almost wholly ignored the material, the

mechanical, the scientific, and industrial mastery of natural resources, which has so characterized our Western civilization in its later growth, and has led among us to the creation of an intricate industrial system. The spirit of Chinese civilization has, moreover, been pacifist, and lacking in the consciousness of nationality as we understand that term. In its political aspects, the ideal of that civilization was to follow the principle of self-government by the family or guild to an extreme. The throne had imposed upon the people virtually no authority and exercised virtually no functions save to preserve order and to collect taxes for the maintenance of the throne as a symbol of national or racial unity.

So long as China lived as a race apart, as a self-contained agricultural country, such a political ideal was possible of realization; and we who are the inheritors of so different a tradition can not but pay respect to China's civilization.

It is perhaps one of the tragedies of human evolution that the fine civilization which had developed in China and which had spread to other lands of eastern Asia was of necessity withered by contact with our more material western system of living. The Asiatic nations seem to have been conscious of this in their early contacts with the European world; and for a time they sought to exclude the new influences. Failing in that, they met the problem in different ways. Japan, with its highly centralized system, which, in marked contrast with the political ideals of China, had instilled into its people a national consciousness and loyalty and obedience in a singular degree had found it possible within a comparatively few decades to adapt itself to membership in the family of modern nations; and by what is doubtless the most extraordinary transformation in history, took on so much of the material development and political tradition of the West as enabled her empire to become what it is to-day, one of the foremost nations of the world.

China, on the other hand, with its age-long devotion to a political ideal which scarcely involved the concept of the State, and which had afforded its people no experience of coordinated action for political ends, was slower to adapt itself to conditions arising out of what it regarded as the intrusion of the West. Even after it had ceased actually to oppose this intrusion, it still sought to hold itself aloof and to carry on a passive resistance to the new influences which were at work. Against powerful, well-knit governments of the European type, strongly nationalistic, and in some instances availing themselves of military force, China could oppose only the will of a weak and loose-knit government, lacking even the support of a national self-consciousness

on the part of its people. Against the organized commercial and industrial enterprises of the West, China had no similar organization to oppose, and no means of exploiting on any adequate scale the coveted latent wealth of the country. It was melancholy but perhaps inevitable that a realization of this situation should have led to a scramble among the Powers of greatest military and industrial strength with a view to obtaining the fullest possible opportunity to profit by the riches and the weakness of China. In this scramble, not only were the rights of China ignored or violated, but a number of the stronger Powers found themselves in a situation of mutual antagonism as a result.

It was in the midst of this scramble, in the year 1899, that Secretary Hay sought to establish the principle of the open door and to obtain general acceptance for certain concrete applications of it which at least would minimize the existing danger. And when, in the following year, a portion of the Chinese people were beguiled into the futile antiforeign protest that we know as the Boxer Uprising, Secretary Hay joined with the open-door principle its corollary, that is, the preservation of Chinese territorial and administrative integrity. These two related principles have since had their influence in restraint of the temptation to encroach upon the rights of China or upon the rights of other friendly states in China. But it is unfortunately the fact that these principles, helpful as they might have been, were never a matter of binding international obligation among all the powers concerned; and although generally professed, they were in some instances disregarded, and each such case afforded an excuse and a temptation to treat them thereafter more and more as mere counsels of perfection for which no nation could be held strictly to account. This disintegrating tendency had become more marked in the period following China's overthrow of its ancient dynasty and its assumption of the status of a republic. This development has inevitably brought with it a period of transition.

The democratic system of government represents the final and most difficult stage in the political experience of a people; and its adoption has universally been accompanied, as it was in our own case, by a period of painful adjustment to new and difficult requirements. In China, perhaps, the singular lack of political experience, or even of a helpful governmental tradition, made this development infinitely difficult, and for approximately ten years China has been exhibiting the weakness and political disturbance which seem to be the price that must be paid for the institution of popular government. In these circumstances, the weakening of the restraints upon the action of foreign nations seeking to

participate in the economic development of China has perhaps not unnaturally led to a greater indifference to China's rights and interests, and to a greater disregard of the dangers arising out of international rivalries.

A situation had thus been created in which the Chinese people nursed a sense of grievance and even of outrage; and the foreign nations found their relations complicated by mutual suspicion and resentment.

Throughout considerable areas of the territory of China claims were made to so-called spheres of interest which not only placed a check upon the normal economic development of the country and interfered with its administration, but also sought to restrict the free commercial intercourse of those peoples, which, like ourselves, considered that they had a full right, with the sanction of treaty engagements, to deal without control or interference with the Chinese people in whatever part of China and in whatever sort of legitimate business or enterprise they might find mutually profitable.

Such was the unhealthy situation that had come to exist in the Far East; and those who regarded it with a view to its effects upon the relationships of the several nations concerned could not but be conscious that plans for the limitation of armaments could scarcely have more than a temporary success if it were not possible to dispel the growing sense of uneasiness and mutual distrust which had arisen out of those conditions.

**457. The Anglo-Japanese Alliance**

It may be stated without reservation that one of the most important factors in the Far Eastern situation was the Anglo-Japanese Alliance. This Alliance has been viewed by the people of the United States with deep concern. Originally designed as a measure of protection in view of the policies of Russia and Germany in Far Eastern affairs, the continuance of the Alliance after all peril from those sources had ceased could not fail to be regarded as seriously prejudicial to our interests. Without reviewing the reasons for this disquietude, it was greatly increased by the "state of international tension" which had arisen in the Pacific area. The question constantly recurred: The original sources of danger having been removed, against whom and for what purposes was the Alliance maintained? The difficulty lay in the fact that the Treaty was not one that had to be renewed. It ran until it was formally denounced by one of the two parties. Great Britain accordingly found itself, as Mr. Balfour has expressed it, "between the possibilities of two misunderstandings—a misunderstanding if they retained the Treaty, a misunderstanding if they denounced the Treaty."

It was, therefore, a matter of the greatest gratification that the American Delegation found that they were able to obtain an agreement by which the Anglo-Japanese Alliance should be immediately terminated. No greater step could be taken to secure the unimpeded influence of liberal opinion in promoting peace in the Pacific region.

458. The Four-Power Treaty

This agreement between the United States, British Empire, France, and Japan, which was signed on December 13, 1921, provided as follows:

I.

"This High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

"If there should develop between any of the High Contracting Parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other High Contracting Parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II.

"If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III.

"This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

IV.

"This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of rati-

fications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate."

It was accompanied by the following statement signed at the same time:

"In signing the Treaty this day between The United States of America, The British Empire, France, and Japan it is declared to be the understanding and intent of the Signatory Powers:

"1. That the Treaty shall apply to the mandated islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

"2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers."

Accordingly, the signing of the Treaty on the part of the United States was subject to the making of a convention with Japan concerning the status of the Island of Yap and what are termed the mandated islands in the Pacific Ocean north of the Equator, the negotiations in regard to which have been concluded, and also to the reservations with respect to what are termed the mandated islands in the Pacific Ocean south of the Equator. The position of the United States in regard to mandates is not in any way affected by this Treaty.

Further, it is distinctly stated that the controversies to which the Treaty refers do not embrace questions which, according to principles of international law, lie exclusively within the domestic jurisdiction of the respective Powers. Illustrations of questions of this sort are immigration and tariff matters, so far as they are unaffected by existing treaties.

It will be observed that the Treaty relates only to "insular possessions and insular dominions." It contains no provision with respect to continental territory either in the East or in the West.

Under Article I, the parties do not agree to give any support to claims, but only to respect rights that actually exist. When controversies arise of the character stated in the Article, the Powers merely agree to confer together concerning them. No Power binds itself to anything further; and any consents or agreements must be reached

in accordance with its constitutional methods. The reference to "consideration and adjustment" does not imply that any agreement can be made at a conference relating to a controversy which would be binding upon the United States, unless that agreement is made by constitutional authority. The present Treaty promises not an agreement of any sort, but merely consultation. The same is true of the provision in Article II.

As Senator Lodge said, in communicating the terms of the Treaty to the Conference:

"To put it in a few words, the treaty provides that the four signatory powers will agree as between themselves to respect their insular possessions and dominions in the region of the Pacific, and that if any controversy should arise as to such rights, all the high contracting parties shall be invited to a joint conference looking to the adjustment of such controversy. They agree to take similar action in the case of aggression by any other power upon these insular possessions or dominions. The agreement is to remain in force for 10 years, and after ratification under the constitutional methods of the high contracting parties the existing agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. And that is all. Each signer is bound to respect the rights of the others and before taking action in any controversy to consult with them. There is no provision for the use of force to carry out any of the terms of the agreement, and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses."

This statement was made in open Conference, in the presence of all the Delegates who signed the Treaty, and must be regarded as an authoritative and accepted exposition of its import.

A question arose whether the main islands of Japan were within the scope of the Treaty. This had been considered while the Treaty was being negotiated, and it had been understood that they had been included. The words "insular possessions and insular dominions" were deemed comprehensively to embrace all islands of the respective powers in the region described.

The American Delegation did not regard it as important whether the main islands of Japan were included or excluded, save that it was understood that their exclusion might give rise to difficulties with respect to the position of Australia and New Zealand. After the Treaty was signed, it became apparent that in view of the sentiment both in this country and in Japan, it would be preferable to exclude the main islands of Japan from the Treaty, and it was ascertained

that Australia and New Zealand would not object to this course.

It was thought desirable that specific mention should be made of the Japanese islands to which the Treaty should apply.

Accordingly, on February 6, 1922, the Four Powers signed a Treaty, supplementary to the Treaty of December 13, 1921, providing—

"the term 'insular possessions and insular dominions' used in the aforesaid Treaty, shall, in its application to Japan, include only Karafuto (or the southern portion of the island of Sakhalin), Formosa and the Pescadores, and the islands under the mandate of Japan."

It was further provided that this agreement should have the same force and effect as the Treaty to which it was supplementary, and thus it is subject to the reservations made at the time the Treaty of December 13, 1921, was signed.

**459. The Shantung controversy**

The most acute question, perhaps, in the Far East was that relating to Shantung, and it was also apparently the most difficult to settle satisfactorily.

At the outbreak of the European War, Japan, as the ally of Great Britain, dispatched to Germany an ultimatum requiring the German Government to deliver over to the Japanese authorities, without condition or compensation, and with a view to its eventual restoration to China, the Kiaochow territory for which Germany had obtained from China a lease of 99 years by virtue of a Convention signed in 1898. Upon this ultimatum being disregarded by Germany, Japan landed forces in the Province of Shantung, which besieged and captured the City of Tsingtao and, in November, 1914, took possession of the whole leased territory of Kiaochow and of the German-owned Shantung Railway, running from that territory to the City of Tsinanfu, the capital of Shantung Province.

During the following year, as the result of the so-called "21 Demands" which Japan presented to China, there was signed on May 25, 1915, a Treaty by which the Chinese Government agreed "to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests, and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung"; and it was further agreed that the whole of Kiaochow Bay should be opened as a commercial port, with a municipal concession to be established under the exclusive jurisdiction of Japan at a place to be designated by the Japanese Government, while an international concession

might be established if the other foreign Powers should so desire.

By a further Exchange of Notes dated September 24, 1918, it was arranged that the Shantung Railway should be operated jointly by Japan and China, and that it should thereafter be protected not by Japanese troops but by a special police force composed of Chinese under Japanese direction.

This latter arrangement, however, was never ratified by China, which continued to protest against Japan's claim to have succeeded to the position of Germany with respect to the leased territory of Kiaochow, the Shantung Railway, and other matters in the Province of Shantung.

This question was raised at the Peace Conference at Paris, China insisting upon the restitution to itself of all rights and privileges which Germany had possessed in Tsingtao. The decision of the Conference was, however, adverse to this claim; and by Articles 156, 157, and 158 of the Treaty of Versailles, it was provided that Germany should renounce in favor of Japan all her rights, title, and privileges relative to the Province of Shantung, particularly those concerning the leased territory of Kiaochow and the movable and immovable property of the German Government therein, the Shantung Railway, the mines operated by German nationals, and the submarine cables to Chefoo and to Shanghai which were the property of the German state. The cession thus made by the Treaty was nevertheless qualified by a declaration made in behalf of the Japanese Delegation, to the effect that "the policy of Japan consists in handing back the Shantung Peninsula in full sovereignty to China, retaining only the economic privileges granted to Germany and the right to establish a settlement under the usual conditions at Tsingtao." By reason of this dissatisfaction with the disposition of the Shantung question made by the Versailles Treaty, the Chinese Government not only withheld its signature of that Treaty, but declined to entertain any proposals made by the Japanese Government for the adjustment of the question upon what it deemed to be the vague and arbitrary basis of restoring to China the "political sovereignty" (which China contended had not been affected by Japan's taking over the German position), while retaining for Japan the economic privileges—including the only deep-water harbor in the Province, the only railway thence to the interior, the only coal and iron mines of the Province which have proved to be of value—so as to leave Japan in effective domination of the economic life of the Province of Shantung.

The question could not be brought, technically, before the Washington Conference, as all the nations represented at the Conference table, save the United States, China, and

The Netherlands, were bound by the Treaty of Versailles. Japan could, of course, at once oppose any action by any of these Powers at the Conference which could be regarded as a departure from the terms of that Treaty.

It was quite clear, however, that the Conference furnished a most favorable opportunity for negotiations between China and Japan in which by mutual agreement a solution of the difficulty might be found. In order that the parties might be brought together, the good offices of Mr. Balfour and Mr. Hughes, individually, were tendered to both parties, with their consent, and conversations looking to a settlement were begun. These conversations continued for many weeks and had the happy result of complete agreement, which was embodied in a Treaty signed on the part of China and Japan on February 4, 1922. The main outlines of this Treaty are as follows:

"Japan will, within six months from the date of the Treaty, restore to China the former German leased territory of Kiaochow, and all public properties therein, without charge except for such additions and improvements as may have been made by Japan during the period of her occupation;

"All Japanese troops are to be withdrawn as soon as possible—from the line of the Railway within six months at the latest, and from the leased territory not later than 30 days from the date of its transfer to China;

"The customhouse at Tsingtao is at once to be made an integral part of the Chinese Maritime Customs;

"The Shantung (Tsingtao-Tsinanfu) Railway and appurtenant properties are to be transferred to China, the transfer to be completed within 9 months, at the latest, from the date of coming into force of the Treaty; the value of the property to be determined by a commission upon the basis of approximately 53,000,000 gold marks, already assessed against Japan by the Reparations Commission as the value of the railway property taken by Japan from Germany in 1914; the value fixed being paid by China to Japan by Chinese Government treasury notes, secured on the properties and revenues of the Railway, and running for a period of 15 years, but redeemable either in whole or in part at any time after 5 years from the date of payment; pending the complete redemption of such treasury notes, the Chinese Government to employ a Japanese subject as traffic manager, and a Japanese subject as one of two joint chief accountants, under the authority and control of the Chinese managing director of the railway;

"The rights in the construction of two extensions of the Shantung Railway, reserved in 1914 for German enterprise, and subsequently granted to a Japanese syndicate, are to be

opened to the activities of an international financial group on terms to be arranged between China and that group;

"The coal and iron mines formerly owned by the German Shantung Railway Company are to be handed over to a company to be formed under a special charter of the Chinese Government, in which Japanese capital may participate equal with Chinese capital;

"Japan relinquishes its claim to the establishment of an exclusive Japanese settlement in the leased territory, and China opens the whole of that territory to foreign trade, undertaking to respect all valid vested rights therein:

"China is enabled to purchase, for incorporation in its Government salt monopoly, the salt fields now operated in the leased territory by Japanese subjects, on the understanding that it will allow the export on reasonable terms of salt to meet the shortage in Japan;

"Japan relinquishes to China all claims with respect to the Tsingtao-Chefoo and Shanghai cables, except such portions as were utilized by Japan during the war for the laying of the cable from Tsingtao to Sasebo;

"Japan is to transfer to China for fair compensation the wireless stations at Tsingtao and Tsinanfu;

"Japan renounces all preferential rights in respect of foreign assistance in persons, capital, and material stipulated in the Kiaochow Convention of 1898 between China and Germany."

460. Weihaiwei

On the announcement to the Conference of the conclusion of the agreement relating to Shantung, Mr. Balfour, on behalf of the British Government, proposed to restore Weihaiwei to China. Mr. Balfour said:

"The circumstances under which Weihaiwei thus came under the control of Britain have now not only provisionally changed, but they have altogether disappeared. The rest of the Province of Shantung is now handed back under suitable conditions to the complete sovereignty of China. Under like suitable conditions I have to announce that Great Britain proposes to hand back Weihaiwei to the country within whose frontier it lies.

"It has so far been used merely as a sanatorium or summer resort for ships of war coming up from the tropical or more southern portions of the China station. I doubt not that arrangements can be made under which it will remain available for that innocent and healthful purpose in time to come. But Chinese sovereignty will now be restored, as it has been restored in other parts of the Province, and we shall be largely guided in the arrangements that we propose at once to initiate by the example so happily set us by the

Japanese and Chinese negotiators in the case of Shantung. They have received from this great assembly unmistakable proof of your earnest approval, and most surely they deserve it."

**461. Principles and policies in relation to China**

The work of the Conference in connection with Far Eastern matters was largely devoted to the effort to give new vigor and reality to the coördinated principles of territorial and administrative integrity of China and of the "Open Door" or equality of opportunity for all nations in China. These principles have been called coördinate, but they are, in fact, different aspects of the same principle. For any impairment of the sovereignty of China must affect the rights and interests of other powers in relation to China; and any attempt to establish a particularistic and exclusive system in favor of any foreign nation thereby creates conditions prejudicial to China's freedom of action in relation to other Powers. The distinction between the two phases of this question would therefore seem to be one of relative emphasis rather than of kind.

As the foundation of its work in relation to China, the Conference adopted the following fundamental principles, in agreeing:

"(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

"(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

"(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

"(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States and from countenancing action inimical to the security of such States."

Thus were reaffirmed the postulates of American policy which were no longer to be left to the exchanges of diplomatic notes, but were to receive the sanction of the most solemn undertaking of the Powers.

This statement was supplemented by the agreement that the Powers attending the Conference "would not enter into any treaty, agreement, arrangement or understanding, either with one another, or individually, or collectively, with any Power or Powers, which would infringe or impair these principles."

In the light of experience, it was deemed important that there should be a more definite statement of what was connoted by the "Open Door" or the principle of equal opportunity, and accordingly the Conference adopted the following resolutions:

"I. With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations, the Powers other than China represented at this Conference agree—

"(*a*) Not to seek or to support their nationals in seeking any arrangement which might purport to establish in favor of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

"(*b*) Not to seek or to support their nationals in seeking any such monopoly or preference as would deprive other nationals of the right of undertaking any legitimate trade or industry in China or of participating with the Chinese Government or with any local authority in any category of public enterprise, or which by reason of its scope, duration or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

"It is understood that this agreement is not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial or financial undertaking or to the encouragement of invention and research.

"II. The Chinese Government takes note of the above agreement and declares its intention of being guided by the same principles in dealing with applications for economic rights and privileges from Governments and nationals of all foreign countries whether parties to that agreement or not."

There still remained the efforts of nationals, as distinguished from governments, in derogation of the Open Door principle, to create for themselves spheres of influence in China in order to enjoy mutually exclusive opportunities. This sort of endeavor the Powers agreed to restrain by resolving:

"*Resolved,* That the Signatory Powers will not support any agreements by their respective nationals with each other designed to create Spheres of Influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory."

It was also apparent, in connection with the particular subject of railways, that safeguards should be erected against practices of unjust discrimination, although there was no intent to intimate that any unfair discrimination lay at the door of China. Accordingly the Conference took action as follows:

"The Chinese Government declares that throughout the whole of the railways in China it will not exercise or permit any unfair discrimination of any kind. In particular, there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese railways.

"The other Powers represented at this Conference take note of the above declaration and make a corresponding declaration in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement, or otherwise."

The agreements evidenced by these Resolutions, and constituting a Magna Charta for China, were embodied in the Treaty signed on February 6, 1922.

In this Treaty it was also provided that the Contracting Powers agreed fully to respect Chinese rights as a neutral in time of war to which China is not a party, and China declared that when she was a neutral she would observe the obligations of neutrality.

Again, in order to aid the carrying out of these stipulations of the Treaty, provision was made for consultation among the Powers concerned with respect to their application. It was provided:

"The Contracting Powers agree that, whenever a situation arises which in the opinion of any one or them involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the Contracting Powers concerned."

This involves no impairment of national sovereignty, no sacrifice of national interests, no provision for agreements reached apart from the constitutional methods of the respective Powers, but a simple opportunity for consultation, examination, and expression of views whenever any question under the specified stipulations of the Treaty may arise.

It is believed that through this Treaty the Open Door in China has at last been made a fact.

**462. Board of Reference**

In order further to provide a procedure for dealing with questions which might arise under the provisions of the Treaty, relating to equality of opportunity and unfair discrimination in railroad service, a Resolution was adopted providing for the constitution of a Board of Reference, which

would furnish a facility for investigation and report. The Resolution was adopted in the following terms:

"Desiring to provide a procedure for dealing with questions that may arise in connection with the execution of the provisions of Articles III and V of the Treaty to be signed at Washington on February 6th, 1922, with reference to their general policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

"Resolve that there shall be established in China a Board of Reference to which any questions arising in connection with the execution of the aforesaid Articles may be referred for investigation and report.

"The Special Conference provided for in Article II of the Treaty to be signed at Washington on February 6th, 1922, with reference to the Chinese Customs Tariff, shall formulate for the approval of the Powers concerned a detailed plan for the constitution of the Board."

It will be observed that this Board, which is intended merely as a board of inquiry, is not yet constituted, and the recommendations of the Special Conference, with respect to its constitution, must be submitted for the approval of the Powers, which, of course, must act according to their constitutional methods in the adoption of any agreement containing a detailed plan.

463. Alienation of territory

In connection with the presentation by China of the principles asserted in behalf of her territorial and administrative integrity, China placed upon the record of the Conference the following declaration:

"China, upon her part, is prepared to give an undertaking not to alienate or lease any portion of her territory or littoral to any power."

It was proper that to China should be given the opportunity to develop in the Conference those questions which more intimately affected her integrity and sovereignty, and her Delegation took occasion to indicate fully, and very ably, certain grounds of complaint which China had against various practices.

464. Extraterritoriality

By treaties between Great Britain and China, dated September 5, 1902; between the United States and China, dated October 8, 1903; and between Japan and China dated October 8, 1903, these Powers agreed to give every assistance towards the attainment by the Chinese Government of its expressed desire to reform its judicial system and to bring it into accord with that of western nations and declared that

they were also "prepared to relinquish extraterritorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations, warrant" them in so doing. In the light of these agreements, and taking into consideration existing conditions in China, it was resolved by the Powers in the Conference as follows:

"That the Governments of the Powers above named shall establish a Commission (to which each of such Governments shall appoint one member) to inquire into the present practice of extraterritorial jurisdiction in China, and into the laws and the judicial system and the methods of judicial administration of China, with a view to reporting to the Governments of the several Powers above named their findings of fact in regard to these matters, and their recommendations as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislation and judicial reforms as would warrant the several Powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality;

"That the Commission herein contemplated shall be constituted within three months after the adjournment of the Conference in accordance with detailed arrangements to be hereafter agreed upon by the Governments of the Powers above named, and shall be instructed to submit its report and recommendations within one year after the first meeting of the Commission.

"That each of the Powers above named shall be deemed free to accept or to reject all or any portion of the recommendations of the Commission herein contemplated, but that in no case shall any of the said Powers make its acceptance of all or any portion of such recommendations either directly or indirectly dependent on the granting by China of any special concession, favor, benefit or immunity, whether political or economic.

"ADDITIONAL RESOLUTION.

"That the non-signatory Powers, having by treaty extraterritorial rights in China, may accede to the resolution affecting extraterritoriality and the administration of justice in China by depositing within three months after the adjournment of the Conference a written notice of accession with the Government of the United States for communication by it to each of the signatory Powers.

"ADDITIONAL RESOLUTION.

"That China, having taken note of the resolutions affect-

ing the establishment of a Commission to investigate and report upon extraterritoriality and the administration of justice in China, expresses its satisfaction with the sympathetic disposition of the Powers hereinbefore named in regard to the aspiration of the Chinese Government to secure the abolition of extraterritoriality in China, and declares its intention to appoint a representative who shall have the right to sit as a member of the said Commission, it being understood that China shall be deemed free to accept or to reject any or all of the recommendations of the Commission. Furthermore, China is prepared to cooperate in the work of this Commission and to afford to it every possible facility for the successful accomplishment of its tasks."

**465. Foreign postal agencies in China**

The following Resolution was adopted by the Conference in relation to foreign postal agencies in China:

"A. Recognizing the justice of the desire expressed by the Chinese Government to secure the abolition of foreign postal agencies in China, save or except in leased territories or as otherwise specifically provided by treaty, it is resolved:

(1) The four Powers having such postal agencies agree to their abandonment subject to the following conditions:
   (*a*) That an efficient Chinese postal service is maintained;
   (*b*) That an assurance is given by the Chinese Government that they contemplate no change in the present postal administration so far as the status of the foreign Co-Director General is concerned.

(2) To enable China and the Powers concerned to make the necessary dispositions, this arrangement shall come into force and effect not later than January 1, 1923.

"B. Pending the complete withdrawal of foreign postal agencies, the four Powers concerned severally undertake to afford full facilities to the Chinese customs authorities to examine in those agencies all postal matters (excepting ordinary letters, whether registered or not, which upon external examination appear plainly to contain only written matter) passing through them, with a view to ascertaining whether they contain articles which are dutiable or contraband or which otherwise contravene the customs regulations or laws of China."

466. Armed forces in China

The following Resolution was adopted in relation to foreign troops in China, including police and railroad guards:—

"*Whereas* The Powers have from time to time stationed armed forces, including police and railway guards, in China to protect the lives and property of foreigners lawfully in China;

"*And whereas* It appears that certain of these armed forces are maintained in China without the authority of any treaty or agreement;

"*And whereas* The Powers have declared their intention to withdraw their armed forces now on duty in China without the authority of any treaty or agreement, whenever China shall assure the protection of the lives and property of foreigners in China;

"*And whereas* China has declared her intention and capacity to assure the protection of the lives and property of foreigners in China:

"*Now* to the end that there may be clear understanding of the conditions upon which in each case the practical execution of those intentions must depend;

"*It is resolved:* That the Diplomatic Representatives in Pekin of the Powers now in Conference at Washington, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, The Netherlands, and Portugal, will be instructed by their respective Governments, whenever China shall so request, to associate themselves with three representatives of the Chinese Government to conduct collectively a full and impartial inquiry into the issues raised by the foregoing declarations of intention made by the Powers and by China and shall thereafter prepare a full and comprehensive report setting out without reservation their findings of fact and their opinion with regard to the matter hereby referred for inquiry, and shall furnish a copy of their report to each of the nine Governments concerned which shall severally make public the report with such comment as each may deem appropriate. The representatives of any of the Powers may make or join in minority reports stating their differences, if any, from the majority report.

"That each of the Powers above named shall be deemed free to accept or reject all or any of the findings of fact or opinions expressed in the report, but that in no case shall any of the said Powers make its acceptance of all or any of the findings of fact or opinions either directly or indirectly dependent on the granting by China of any special concession, favor, benefit, or immunity, whether political or economic."

467. Radio stations in China

The following action was taken with respect to radio stations:

"1. That all radio stations in China, whether maintained under the provisions of the international protocol of September 7, 1901, or in fact maintained in the grounds of any of the foreign legations in China, shall be limited in their use to sending and receiving government messages and shall not receive or send commercial or personal or unofficial messages, including press matter: Provided, however, that in case all other telegraphic communication is interrupted, then, upon official notification accompanied by proof of such interruption to the Chinese Ministry of Communications, such stations may afford temporary facilities for commercial, personal, or unofficial messages, including press matter, until the Chinese Government has given notice of the termination of the interruption;

"2. All radio stations operated within the territory of China by a foreign government or the citizens or subjects thereof under treaties or concessions of the Government of China, shall limit the messages sent and received by the terms of the treaties or concessions under which the respective stations are maintained;

"3. In case there be any radio station maintained in the territory of China by a foreign government or citizens or subjects thereof without the authority of the Chinese Government, such station and all the plant, apparatus, and material thereof shall be transferred to and taken over by the Government of China, to be operated under the direction of the Chinese Ministry of Communications upon fair and full compensation to the owners for the value of the installation, as soon as the Chinese Ministry of Communications is prepared to operate the same effectively for the general public benefit;

"4. If any questions shall arise as to the radio stations in leased territories, in the South Manchurian Railway Zone or in the French Concession at Shanghai, they shall be regarded as matters for discussion between the Chinese Government and the Government concerned;

"5. The owners or managers of all radio stations maintained in the territory of China by foreign powers or citizens or subjects thereof shall confer with the Chinese Ministry of Communications for the purpose of seeking a common arrangement to avoid interference in the use of wave lengths by wireless stations in China, subject to such general arrangements as may be made by an international conference convened for the revision of the rules established by the International Radio Telegraph Convention, signed at London, July 5, 1912."

The following declaration in connection with this Resolution was made by the Powers other than China:

"The Powers other than China declare that nothing in paragraphs 3 or 4 of the Resolutions of 7th December, 1921, is to be deemed to be an expression of opinion by the Conference as to whether the stations referred to therein are or are not authorized by China.

"They further give notice that the result of any discussion arising under paragraph 4 must, if it is not to be subject to objection by them, conform with the principles of the Open Door or equality of opportunity approved by the Conference."

There was also a declaration by China, upon the same subject, as follows:

"The Chinese Delegation takes this occasion formally to declare that the Chinese Government does not recognize or concede the right of any foreign power or of the national thereof to install or operate, without its express consent, radio stations in legation grounds, settlements, concessions, leased territories, railway areas, or other similar areas."

468. Railways in China

In addition to the resolutions already mentioned relating to unfair discrimination, a general resolution was adopted by the Conference in relation to railways in China:

"The Powers represented in this Conference record their hope that to the utmost degree consistent with legitimate existing rights, the future development of railways in China shall be so conducted as to enable the Chinese Government to effect the unification of railways into a railway system under Chinese control, with such foreign financial and technical assistance as may prove necessary in the interests of that system."

And China placed the following declaration as to railways upon the records of the Conference:

"The Chinese Delegation notes with sympathetic appreciation the expression of the hope of the Powers that the existing and future railways of China may be unified under the control and operation of the Chinese Government with such foreign financial and technical assistance as may be needed. It is our intention as speedily as possible to bring about this result. It is our purpose to develop existing and future railways in accordance with a general programme that will meet the economic, industrial, and commercial requirements of China. It will be our policy to obtain such foreign financial and technical assistance as may be needed from the Powers in accordance with the principles of the Open Door or equal opportunity; and the friendly support of these Powers will be asked for the effort of the Chinese Government to bring all the railways of China, now existing

or to be built, under its effective and unified control and operation."

469. Chinese customs tariff

Important action was taken with respect to the Chinese customs tariff, and the Resolutions adopted upon this subject by the Conference were embodied in a Treaty signed on February 6th. In presenting this Treaty to the Conference, Senator Underwood reviewed the history of Chinese customs, and stated the purpose and effect of the Treaty. In view of the intricacy of the matter, this statement is given in full, as follows :

"I realize fully that the Delegates seated at this table understand why the Nine Powers have agreed with China on the adoption of a customs tariff, but in this Twentieth Century treaties have ceased to be compacts of governments, and if they are to live and survive must be the understandings of the people themselves.

"It may seem an anomaly to the people of the world who have not studied this question that this Conference, after declaring that they recognize the sovereignty and territorial integrity of China, should engage with China in a compact about a domestic matter that is a part of her sovereignty, and to announce the treaty without an explanation may lead to misunderstanding, and therefore I ask the patience of the Conference for a few minutes that I may put in the record a statement of the historic facts that have led up to present conditions, that makes it necessary that this Conference should enter into this agreement.

"The conclusions which have been reached with respect to the Chinese maritime customs tariff are two in number, the first being in form of an agreement for an immediate revision of existing schedules, so as to bring the rate of duty up to a basis of 5 per cent effective. The second is in the form of a treaty and provides for a special conference which shall be empowered to levy surtaxes and to make other arrangements for increasing the customs schedules above the rate of 5 per cent effective.

"In order to understand the nature and the reasons for these agreements, it is well to bear in mind the historical background of the present treaty adjustment, which places such a large control of the Chinese customs in the hands of foreign powers.

"The origin of the Chinese customs tariff dates back to the Fourteenth Century, but the administration system was of such a nature that constant friction arose with foreign merchants engaged in trade with that country, and culminated in an acute controversy relating to the smuggling of opium, sometimes known as the Opium War of 1839–1842.

"This controversy ended in 1842 with the Treaty of Nankin, between China and Great Britain. The Treaty of Nankin marked the beginning of Chinese relations on a recognized legal basis with the countries of the Western World, and is likewise the beginning of the history of China's present tariff system.

"By the Treaty of Nankin it was agreed that five ports should be opened for foreign trade, and that a fair and regular tariff of export and import customs and other dues should be published.

"In a subsequent treaty of October 8, 1843, a tariff schedule was adopted for both imports and exports, based on the general rate of 5 per cent ad valorem.

"In 1844 the first treaty between China and the United States was concluded. In this treaty the tariff upon which China had agreed with Great Britain was made an integral part of its provisions, and most-favored-nation treatment was secured for the United States in the following terms:

"'Citizens of the United States resorting to China shall in no case be subject to other or higher duties than are or shall be required of the people of any other nation whatever, and if additional advantages or privileges of whatever description be conceded hereafter by China to any other nation, the United States and the citizens thereof shall be entitled thereupon to a complete, equal, and impartial participation in the same.'

"In the same year a similar treaty between China and France was concluded, and in 1847 a like treaty was entered into with Sweden and Norway.

"After an interval of a little over a decade, friction again developed and a war ensued.

"In 1851, when negotiations were again resumed, silver had fallen in value, prices of foreign commodities had changed, and the former schedule of duties no longer represented the rate of 5 per cent ad valorem.

"In 1858 China concluded what was known as the Tientsin Treaty with the United States, Russia, Great Britain, and France.

"The British Treaty, which was the most comprehensive, being completed by agreement as to the tariff and rules of trade, was signed at Shanghai on November 8, 1858. By this agreement a schedule of duties was provided to take the place of the schedule previously in force. Most of the duties were specific, calculated on the basis of 5 per cent of the then prevailing values of articles.

"The tariff schedule thus adopted in 1858 underwent no revision except in reference to opium until 1902.

"The beginning of foreign administrative supervision of the Chinese maritime customs dates back to the time of the Taiping Rebellion, when, in September, 1853, the city of Shanghai was captured by the Taiping rebels. As a consequence the Chinese customs was closed and foreign merchants had no offices to collect customs duties.

"In order to meet the emergency, the foreign consuls collected the duties until June 29, 1854, when an agreement was entered into with the British, American, and French consuls for the establishment of a foreign board of inspectors. Under this agreement a board of foreign inspectors was appointed, and continued in office until 1858, when the tariff commission met and agreed to rules of trade, of which Article X provided that a uniform customs system should be enforced at every port, and that a high officer should be appointed by the Chinese government to superintend the foreign trade, and that this officer might select any British subject whom he might see fit to aid him in the administration of the customs revenue, and in a number of other matters connected with commerce and navigation. In 1914, just as the Great War was breaking, there were 1,357 foreigners in the Chinese customs service, representing twenty nationalities among a total of 7,441 employees.

"It is appropriate to observe that the present administrative system has given very great satisfaction in the matter of its efficiency and its fairness to the interests of all concerned, and in that connection I desire to say that, when the consideration of this tariff treaty was before the Subcommittee that prepared it, there was a general and I may say universal sentiment about the table from the Delegates representing the Nine Powers, that on account of the disturbed conditions in China to-day, unsettled governmental conditions, it was desirous, if it met with the approval of China, that there should be no disturbance at this time of the present administration of the customs system, and in response to that sentiment, which was discussed at the table, Dr. Koo, speaking for the Chinese Government, made a statement which I have been directed by the full committee to report to this Plenary Session, which is as follows:

"The Chinese Delegation has the honor to inform the Committee on the Far Eastern Questions of the Conference on the Limitation of Armament that the Chinese Government have no intention to effect any change which may disturb the present administration of the Chinese Maritime Customs."

"Speaking only for myself, desiring that in the not distant future China may have the opportunity when she has a parliamentary government established in China, repre-

senting her people, to exercise in every respect her full sovereignty, I hope the day may come in the not far distant future when China will regulate her own customs tariffs.

"But for the present, on account of the disturbed conditions in China, it is manifest that there must be an agreement and understanding between China and the other nations involved in her trade, and I want to say that this agreement as it is presented to the Conference as of to-day, meets the approbation and the approval of the representatives of the Chinese Government.

"Between the period of 1869 and 1901 a series of agreements were entered into which established special tariff privileges with various powers respecting movements of trade. This period culminated in a greatly involved state of affairs which led to the Boxer Revolution, out of which grew the doctrine of the Open Door.

"In 1902, in accordance with the terms of the Boxer protocol, a commission met at Shanghai to revise the tariff schedule. This revision applied only to the import duties and to the free list. Most of the duties were specific in character, and the remainder were at five per cent ad valorem. Nonenumerated goods were to pay 5 per cent ad valorem. All the duties remained subject to the restrictions of the earlier treaties, and those of the export duties which are still in force, are the specific duties contained in the schedule of 1858.

"In 1902, a treaty was concluded between China and Great Britain which laid a basis for the subsequent treaties between China and the United States and China and Japan in 1903, along similar lines. In the preamble of the British treaty, the Chinese Government undertakes to discard completely the system of levying likin and other dues on goods at the place of production, in transit and at destination.

"The British Government in turn consents to allow a surtax on foreign goods imported by British subjects, the amount of this surtax on imports not to exceed the equivalent of one and one-half times the existing import duty. The levy of this additional surtax being contingent upon the abolition of the likin has never gone into effect, but remains, nevertheless, the broad basis upon which the general schedules of Chinese tariff duties may be increased.

"It is clear from the forgoing brief summary that two measures were necessary in dealing with the Chinese customs, the first being that of the revising of the tariff schedules as they exist, so as to make them conform to the rate of five per cent effective, as provided by the treaty.

"Second, to pave the way for the abolition of the likin, which constitutes the basis of higher rates. In the meantime,

however, it is recognized that the Chinese Government requires additional revenue, and in order that this may be supplied, a special conference is charged with the levying of a surtax of two and one-half per cent on ordinary duties, and a surtax of five per cent on the luxuries, in addition to the established rate of five per cent effective.

"In 1896, an agreement was made between Russia and China for the construction of the Chinese Eastern Railway, and as a part of this agreement, merchandise entering China from Russia was allowed to pass the border at one-third less than the conventional customs duties. Afterwards, similar reductions were granted to France, Japan, and Great Britain, where the merchandise entered China across her land borders and not by sea.

"This discrimination was unfair to the other nations, and not the least important paragraph in the proposed treaty is the one that abolishes this discrimination entirely.

"I will not read the formal parts of the treaty, and merely read the articles that are substantive.

"The first article reads:

"'ARTICLE I.

"'The representatives of the Contracting Powers having adopted, on the fourth day of February, 1922, in the City of Washington, a Resolution, which is appended as an Annex to this Article, with respect to the revision of Chinese Customs duties, for the purpose of making such duties equivalent to an effective 5 per centum ad valorem, in accordance with existing treaties concluded by China with other nations, the Contracting Powers hereby confirm the said Resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible, but not earlier than two months after publication thereof.'

"Then follows an Annex. It was intended originally for a separate resolution by the Conference to make the present rate effective. As I have stated, the rates of Chinese customs tariff were five per cent ad valorem, but they have been worked into specific rates, and China was not receiving under the old customs system the amount of revenue that she was entitled to under her treaty. But it was found when it was proposed to pass this merely as a resolution, that as these rates had been fixed in some of the treaties and specifically named, it was necessary to include the resolution in the treaty so that it would abolish the binding power of the treaties that had already been made and substitute this new provision in their stead.

"The Annex reads as follows:

"'ANNEX.

"'With a view to providing additional revenue to meet the needs of the Chinese Government, the Powers represented at this Conference, namely, the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal agree:

"'That the customs schedule of duties on imports into China adopted by the Tariff Revision Commission at Shanghai on December 19, 1918, shall forthwith be revised so that the rates of duty shall be equivalent to 5 per cent effective, as provided for in the several commercial treaties to which China is a party.

" 'A Revision Commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

" 'This Commission shall be composed of representatives of the Powers above named and of representatives of any additional Powers having Governments at present recognized by the Powers represented at this Conference and who have treaties with China providing for a tariff on imports and exports not to exceed 5 per cent ad valorem and who desire to participate therein.

" 'The revision shall proceed as rapidly as possible with a view to its completion within four months from the date of the adoption of this Resolution by the Conference on the Limitation of Armament and Pacific and Far Eastern questions.

" 'The revised tariff shall become effective as soon as possible, but not earlier than two months after its publication by the Revision Commission.

"'The Government of the United States, as convener of the present Conference, is requested forthwith to communicate the terms of this Resolution to the Governments of Powers not represented at this Conference, but who participated in the Revision of 1918, aforesaid.'

"Then the actual treaty provisions are incorporated, beginning with ARTICLE II.

"'ARTICLE II.

"'Immediate steps shall be taken, through a Special Conference, to prepare the way for the speedy abolition of likin and for the fulfillment of the other conditions laid down in Article VIII of the Treaty of September 5th, 1902, between Great Britain and China, in Articles IV and V of the Treaty of October 8, 1903, between the United States and China, and in Article I of the Supplementary Treaty of October

8, 1903, between Japan and China, with a view to levying the surtaxes provided for in those articles.

"'The Special Conference shall be composed of representatives of the Signatory Powers, and of such other Powers as may desire to participate, and may adhere to the present Treaty, in accordance with the provisions of Article VIII, in sufficient time to allow their representatives to take part. It shall meet in China within three months after the coming into force of the present Treaty, on a day and at a place to be designated by the Chinese Government.

"'ARTICLE III.

"'The Special Conference provided for in Article II shall consider the interim provisions to be applied prior to the abolition of likin and the fulfillment of the other conditions laid down in the articles of the treaties mentioned in Article II; and it shall authorize the levying of a surtax on dutiable imports as from such date, for such purposes, and subject to such conditions as it may determine.

"'The surtax shall be at a uniform rate of $2\frac{1}{2}$ per centum ad valorem, provided, that in case of certain articles of luxury which, in the opinion of the Special Conference, can bear a greater increase without unduly impeding trade, the total surtax may be increased but may not exceed 5 per centum ad valorem.

"'ARTICLE IV.

"'Following the immediate revision of the customs schedule of duties on imports into China, mentioned in Article I, there shall be a further revision thereof to take effect at the expiration of four years following the completion of the aforesaid immediate revision, in order to ensure that the customs duties shall correspond to the ad valorem rates fixed by the Special Conference provided for in Article II.

"'Following this further revision there shall be, for the same purpose, periodical revisions of the customs schedule of duties on imports into China every seven years, in lieu of the decennial revision authorized by existing treaties with China.

"'In order to prevent delay, any revision made in pursuance of this Article shall be effected in accordance with rules to be prescribed by the Special Conference provided for in Article II.

"'ARTICLE V.

"'In all matters relating to customs duties there shall be effective equality of treatment and of opportunity for all the Contracting Powers.

"'ARTICLE VI.

"'The principle of uniformity in the rates of customs duties levied at all the land and maritime frontiers of China is hereby recognized. The Special Conference provided for in Article II shall make arrangements to give practical effect to this principle; and it is authorized to make equitable adjustments in those cases in which a customs privilege to be abolished was granted in return for some local economic advantage.

"'In the meantime, any increase in the rates of customs duties resulting from tariff revision, or any surtax hereafter imposed in pursuance of the present Treaty, shall be levied at a uniform rate ad valorem at all land and maritime frontiers of China.

"'ARTICLE VII.

"'The charge for transit passes shall be at the rate of 2½ per centum ad valorem until the arrangements provided for by Article II come into force.

"'ARTICLE VIII.

"'Powers not signatory to the present Treaty whose Governments are at present recognized by the Signatory Powers, and whose present treaties with China provide for a tariff on imports and exports not to exceed 5 per centum, ad valorem, shall be invited to adhere to the present Treaty.

"'The Government of the United States undertakes to make the necessary communications for this purpose and to inform the Governments of the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

"'ARTICLE IX.

"'The provisions of the present Treaty shall override all stipulations of treaties between China and the respective Contracting Powers which are inconsistent therewith, other than stipulations according most-favored nation treatment.'

"In conclusion, I can say that the adoption of this treaty and putting it into effect will in all probability double the existing revenues of China received from maritime and inland customs. I say in all human probability, because the amount of revenue of course is governed by the amount of imports and exports coming into a country and going out of a country, and of course no one can predict with absolute certainty."

470. Reduction of Chinese military forces

In connection with the discussion of the Chinese revenue, and of the disturbed political conditions in China, the following resolution was adopted expressing the hope that the military forces of China might speedily be reduced:

"Whereas the Powers attending this Conference have been deeply impressed with the severe drain on the public revenue of China through the maintenance in various parts of the country, of military forces, excessive in number and controlled by the military chiefs of the provinces without coördination;

"And whereas the continued maintenance of these forces appears to be mainly responsible for China's present unsettled political conditions;

"And whereas it is felt that large and prompt reductions of these forces will not only advance the cause of China's political unity and economic development but will hasten her financial rehabilitation;

"Therefore, without any intention to interfere in the internal problems of China, but animated by the sincere desire to see China develop and maintain for herself an effective and stable government alike in her own interest and in the general interest of trade;

"And being inspired by the spirit of this Conference whose aim is to reduce, through the limitation of armament, the enormous disbursements which manifestly constitute the greater part of the encumbrance upon enterprise and national prosperity:

"It is resolved: That this Conference express to China the earnest hope that immediate and effective steps may be taken by the Chinese Government to reduce the aforesaid military forces and expenditures."

471. Existing commitments

In order to insure complete information as to all commitments relating to China and also to provide in the future for suitable publicity, in regard to agreements that may hereafter be made by or with respect to China, the following resolutions were adopted:

"The Powers represented in this Conference, considering it desirable that there should hereafter be full publicity with respect to all matters affecting the political and other international obligations of China and of the several Powers in relation to China, are agreed as follows:

"I. The several Powers other than China will at their earliest convenience file with the Secretariat General of the Conference for transmission to the participating Powers, a list of all treaties, conventions, exchange of notes, or other international agreements which they may have with China, or with any other Power or Powers in relation to China, which

they deem to be still in force and upon which they may desire to rely. In each case, citations will be given to any official or other publication in which an authoritative text of the documents may be found. In any case in which the document may not have been published, a copy of the text (in its original language or languages) will be filed with the Secretariat General of the Conference.

"Every Treaty or other international agreement of the character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days of its conclusion to the Powers who are signatories of or adherents to this agreement.

"II. The several Powers other than China will file with the Secretariat General of the Conference at their earliest convenience, for transmission to the participating Powers, a list, as nearly complete as may be possible, of all those contracts between their nationals, of the one part, and the Chinese Government or any of its administrative subdivisions or local authorities, of the other part, which involve any concession, franchise, option, or preference with respect to railway construction, mining, forestry, navigation, river conservancy, harbor works, reclamation, electrical communications, or other public works or public services, or for the sale of arms or ammunition, or which involve a lien upon any of the public revenues or properties of the Chinese Government or of any of its administrative subdivisions. There shall be, in the case of each document so listed, either a citation to a published text, or a copy of the text itself.

"Every contract of the public character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days after the receipt of information of its conclusion to the Powers who are signatories of or adherents to this agreement.

"III. The Chinese Government agrees to notify in the conditions laid down in this agreement every treaty agreement or contract of the character indicated herein which has been or may hereafter be concluded by that Government or by any local authority in China with any foreign Power or the nationals of any foreign Power whether party to this agreement or not, so far as the information is in its possession.

"IV. The Governments of Powers having treaty relations with China, which are not represented at the present Conference, shall be invited to adhere to this agreement."

It will be observed that the only object and requirement of these resolutions is appropriate publicity.

**472. The Twenty-One Demands**

The Chinese Delegation presented for the consideration of the Conference the questions arising upon what are called

the "Twenty-One Demands," including the Sino-Japanese Treaties and Notes of 1915. The position of the Japanese Government, the Chinese Government, and the American Government was set forth in statements on behalf of each, which were placed upon the records of the Conference.

The statement made by Baron Shidehara on behalf of the Japanese Delegation was as follows:

"At a previous session of this Committee, the Chinese Delegation presented a statement urging that the Sino-Japanese Treaties and Notes of 1915 be reconsidered and cancelled. The Japanese Delegation, while appreciating the difficult position of the Chinese Delegation, does not feel at liberty to concur in the procedure now resorted to by China with a view to cancellation of international engagements which she entered into as a free sovereign nation.

"It is presumed that the Chinese Delegation has no intention of calling in question the legal validity of the compacts of 1915, which were formally signed and sealed by the duly authorized representatives of the two Governments, and for which the exchange of ratifications was effected in conformity with established international usages. The insistence by China on the cancellation of those instruments would in itself indicate that she shares the view that the compacts actually remain in force and will continue to be effective, unless and until they are cancelled.

"It is evident that no nation can have given ready consent to cessions of its territorial or other rights of importance. If it should once be recognized that rights solemnly granted by treaty may be revoked at any time on the ground that they were conceded against the spontaneous will of the grantor, an exceedingly dangerous precedent will be established, with far-reaching consequences upon the stability of the existing international relations in Asia, in Europe, and everywhere.

"The statement of the Chinese Delegation under review declares that China accepted the Japanese demands in 1915, hoping that a day would come when she should have the opportunity of bringing them up for reconsideration and cancellation. It is, however, difficult to understand the meaning of this assertion. It can not be the intention of the Chinese Delegation to intimate that China may conclude a treaty with any thought in mind of breaking it at the first opportunity.

"The Chinese Delegation maintains that the Treaties and Notes in question are derogatory to the principles adopted by the Conference with regard to China's sovereignty and independence. It has, however, been held by the Conference on more than one occasion that concessions made by China

*ex contractu*, in the exercise of her own sovereign rights, can not be regarded as inconsistent with her sovereignty and independence.

"It should also be pointed out that the term 'Twenty-one Demands,' often used to denote the Treaties and Notes of 1915, is inaccurate and grossly misleading. It may give rise to an erroneous impression that the whole original proposals of Japan had been pressed by Japan and accepted *in toto* by China. As a matter of fact, not only 'Group V' but also several other matters contained in Japan's first proposals were eliminated entirely or modified considerably, in deference to the wishes of the Chinese Government, when the final formula was presented to China for acceptance. Official records published by the two Governments relating to those negotiations will further show that the most important terms of the Treaties and Notes, as signed, had already been virtually agreed to by the Chinese negotiators before the delivery of the ultimatum, which then seemed to the Japanese Government the only way of bringing the protracted negotiations to a speedy close.

"The Japanese Delegation can not bring itself to the conclusion that any useful purpose will be served by research and re-examination at this Conference of old grievances which one of the nations represented here may have against another. It will be more in line with the high aim of the Conference to look forward to the future with hope and confidence.

"Having in view, however, the changes which have taken place in the situation since the conclusion of the Sino-Japanese Treaties and Notes of 1915, the Japanese Delegation is happy to avail itself of the present occasion to make the following declaration:

"1. Japan is ready to throw open to the joint activity of the International Financial Consortium recently oganized the right of option granted exclusively in favor of Japanese capital, with regard, first, to loans for the construction of railways in South Manchuria and Eastern Inner Mongolia, and, second, to loans to be secured on taxes in that region; it being understood that nothing in the present declaration shall be held to imply any modification or annulment of the understanding recorded in the officially announced notes and memoranda which were exchanged among the Governments of the countries represented in the Consortium and also among the national financial groups composing the Consortium, in relation to the scope of the joint activity of that organization.

"2. Japan has no intention of insisting on her preferential right under the Sino-Japanese arrangements in question concerning the engagement by China of Japanese advisors

or instructors on political, financial, military or police matters in South Manchuria.

"3. Japan is further ready to withdraw the reservation which she made, in proceeding to the signature of the Sino-Japanese Treaties and Notes of 1915, to the effect that Group V of the original proposals of the Japanese Government would be postponed for future negotiations.

"It would be needless to add that all matters relating to Shantung contained in those Treaties and Notes have now been definitely adjusted and disposed of.

"In coming to this decision, which I have had the honor to announce, Japan has been guided by a spirit of fairness and moderation, having always in view China's sovereign rights and the principle of equal opportunity."

In response Chief Justice Wang made the following statement for the Chinese Government:

"The Chinese Delegation has taken note of the statement of Baron Shidehara made at yesterday's session of the Committee with reference to the Sino-Japanese Treaties and Notes of May 25, 1915.

"The Chinese Delegation learns with satisfaction that Japan is now ready to throw open to the joint activity of the banking interests of other Powers the right of option granted exclusively in favor of Japanese capital with regard, first, to loans for the construction of railways in South Manchuria and Eastern Inner Mongolia, and, second, to loans secured on taxes in that region; and that Japan has no intention of insisting upon a preferential right concerning the engagement by China of Japanese advisors or instructors on political, financial, military, or police matters in South Manchuria; also that Japan now withdraws the reservation which she made to the effect that Group V of her original demands upon China should be postponed for future negotiation.

"The Chinese Delegation greatly regrets that the Government of Japan should not have been led to renounce the other claims predicated upon the Treaties and Notes of 1915.

"The Japanese Delegation expressed the opinion that abrogation of these agreements would constitute 'an exceedingly dangerous precedent,' 'with far-reaching consequences upon the stability of the existing international relations in Asia, in Europe, and everywhere.'

"The Chinese Delegation has the honor to say that a still more dangerous precedent will be established with consequences upon the stability of international relations which can not be estimated, if, without rebuke or protest from other Powers, one nation can obtain from a friendly, but in a military sense, weaker neighbor, and under circumstances such

as attended the negotiation and signing of the Treaties of 1915, valuable concessions which were not in satisfaction of pending controversies and for which no *quid pro quo* was offered. These treaties and notes stand out, indeed, unique in the annals of international relations. History records scarcely another instance in which demands of such a serious character as those which Japan presented to China in 1915, have, without even pretense of provocation, been suddenly presented by one nation to another nation with which it was at the time in friendly relations.

"No apprehension need be entertained that the abrogation of the agreements of 1915 will serve as a precedent for the annulment of other agreements, since it is confidently hoped that the future will furnish no such similar occurrences.

"So exceptional were the conditions under which the agreements of 1915 were negotiated, the Government of the United States felt justified in referring to them in the identic note of May 13, 1915, which it sent to the Chinese and Japanese Governments. That note began with the statement that 'in view of the circumstances which have taken place and which are now pending between the Government of China and the Government of Japan and of the agreements which have been reached as the result thereof, the Government of the United States has the honor to notify the Government of the Chinese Republic (Japan) that it can not recognize any agreement or undertaking which has been entered into between the Governments of China and Japan impairing the treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China, or the international policy relative to China commonly known as the Open Door Policy.'

"Conscious of her obligations to the other Powers, the Chinese Government, immediately after signing the agreements, published a formal statement protesting against the agreements which she had been compelled to sign, and disclaiming responsibility for consequent violations of treaty rights of the other Powers. In the statement thus issued, the Chinese Government declared that although they were 'constrained to comply in full with the terms of the (Japanese) ultimatum' they nevertheless 'disclaim any desire to associate themselves with any revision which may be thus effected, of the various conventions and agreements concluded between the other Powers in respect of the maintenance of China's territorial independence and integrity, the preservation of the *status quo*, and the principle of equal opportunity for the commerce and industry of all nations in China.'

"Because of the essential injustice of these provisions, the Chinese Delegation, acting in behalf of the Chinese Gov-

ernment and of the Chinese people, has felt itself in duty bound to present to this Conference, representing the Powers with substantial interests in the Far East, the question as to the equity and justice of these agreements and therefore as to their fundamental validity.

"If Japan is disposed to rely solely upon a claim as to the technical or juristic validity of the agreements of 1915, as having been actually signed in due form by the two Governments, it may be said that so far as this Conference is concerned, the contention is largely irrelevant, for this gathering of the representatives of the nine Powers has not had for its purpose the maintenance of the legal *status quo*. Upon the contrary, the purpose has been, if possible, to bring about such changes in existing conditions upon the Pacific and in the Far East as might be expected to promote that enduring friendship among the nations of which the President of the United States spoke in his letter of invitation to the Powers to participate in this Conference.

"For the following reasons, therefore, the Chinese Delegation is of the opinion that the Sino-Japanese Treaties and Exchange of Notes of May 25, 1915, should form the subject of impartial examination with a view to their abrogation:

"1. In exchange for the concessions demanded of China, Japan offered no *quid pro quo*. The benefits derived from the agreements were wholly unilateral.

"2. The agreements, in important respects, are in violation of treaties between China and the other powers.

"3. The agreements are inconsistent with the principles relating to China which have been adopted by the Conference.

"4. The agreements have engendered constant misunderstandings between China and Japan, and, if not abrogated, will necessarily tend, in the future, to disturb friendly relations between the two countries, and will thus constitute an obstacle in the way of realizing the purpose for the attainment of which this Conference was convened. As to this, the Chinese Delegation, by way of conclusion, can, perhaps, do no better than quote from a Resolution introduced in the Japanese Parliament, in June, 1915, by Mr. Hara, later Premier of Japan, a Resolution which received the support of some one hundred and thirty of the members of the Parliament.

"The Resolution reads:

" '*Resolved*, that the negotiations carried on with China by the present Government have been inappropriate in every respect; that they are detrimental to the amicable relationship between the two countries, and provocative of suspicions on the part of the Powers; that they have the effect

of lowering the prestige of the Japanese Empire; and that, while far from capable of establishing the foundation of peace in the Far East, they will form the source of future trouble.'

"The foregoing declaration has been made in order that the Chinese Government may have upon record the view which it takes, and will continue to take, regarding the Sino-Japanese Treaties and Exchanges of Notes of May 25, 1915."

The attitude and policy of the American Government was thus stated by the Secretary of State of the United States:

"The important statement made by Baron Shidehara on behalf of the Japanese Government makes it appropriate that I should refer to the position of the Government of the United States as it was set forth in identical notes addressed by that Government to the Chinese Government and to the Japanese Government on May 13, 1915.

"'In view of the circumstances of the negotiations which have taken place and which are now pending between the Government of China and the Government of Japan and of the agreements which have been reached as a result thereof,

"The note to the Chinese Government was as follows: the Government of the United States has the honor to notify the Government of the Chinese Republic that it can not recognize any agreement or undertaking which has been entered into or which may be entered into between the Governments of China and Japan impairing the Treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China, or the international policy relative to China commonly known as the Open Door Policy.

"'An identical note has been transmitted to the Imperial Japanese Government.'

"That statement was in accord with the historic policy of the United States in its relation to China, and its position as thus stated has been, and still is, consistently maintained.

"It has been gratifying to learn that the matters concerning Shantung, which formed the substance of Group I of the original demands, and were the subject of the Treaty and exchange of notes with respect to the province of Shantung, have been settled to the mutual satisfaction of the two parties by negotiations conducted collaterally with this Conference, as reported to the Plenary Session on February 1st.

"It is also gratifying to be advised by the statement made by Baron Shidehara on behalf of the Japanese Government that Japan is now ready to withdraw the reservation which she made, in proceeding to the signature of the treaties and notes of 1915, to the effect that Group V of the original proposals of the Japanese Government—namely, those con-

cerning the employment of influential Japanese as political, financial and military advisors; land for schools and hospitals; certain railways in South China; the supply of arms, and the right of preaching—would be postponed for future negotiations. This definite withdrawal of the outstanding questions under Group V removes what has been an occasion for considerable apprehension on the part alike of China and of foreign nations which felt that the renewal of these demands could not but prejudice the principles of the Integrity of China and of the Open Door.

"With respect to the Treaty and the notes concerning South Manchuria and Eastern Inner Mongolia, Baron Shidehara has made the reassuring statement that Japan has no intention of insisting on a preferential right concerning the engagement by China of Japanese advisors or instructors on political, financial, military or police matters in South Manchuria.

"Baron Shidehara has likewise indicated the readiness of Japan not to insist upon the right of option granted exclusively in favor of Japanese capital with regard, first, to loans for the construction of railways in South Manchuria and Eastern Inner Mongolia; and, second, with regard to loans secured on the taxes of these regions; but that Japan will throw them open to the joint activity of the international financial Consortium recently organized.

"As to this, I may say that it is doubtless the fact that any enterprise of the character contemplated, which may be undertaken in these regions by foreign capital, would in all probability be undertaken by the Consortium. But it should be observed that existing treaties would leave the opportunity for such enterprises open on terms of equality to the citizens of all nations. It can scarcely be assumed that this general right of the Treaty Powers of China can be effectively restricted to the nationals of those countries which are participants in the work of the Consortium, or that any of the Governments which have taken part in the organization of the Consortium would feel themselves to be in a position to deny all rights in the matter to any save the members of their respective national groups in that organization. I, therefore, trust that it is in this sense that we may properly interpret the Japanese Government's declaration of willingness to delinquish its claim under the 1915 treaties to any exclusive position with respect to railway construction and to financial operations secured upon local revenues, in South Manchuria and Eastern Inner Mongolia.

"It is further to be pointed out that by Articles II, III, and IV of the Treaty of May 25, 1915, with respect to South Manchuria and Eastern Inner Mongolia, the Chinese Govern-

ment granted to Japanese subjects the right to lease land for building purposes, for trade and manufacture, and for agricultural purposes in South Manchuria, to reside and travel in South Manchuria, and to engage in any kind of business and manufacture there, and to enter into joint undertakings with Chinese citizens in agriculture and similar industries in Eastern Inner Mongolia.

"With respect to this grant, the Government of the United States will, of course, regard it as not intended to be exclusive, and, as in the past, will claim from the Chinese Government for American citizens the benefits accruing to them by virtue of the most favored nation clauses in the treaties between the United States and China.

"I may pause here to remark that the question of the validity of treaties as between Japan and China is distinct from the question of the treaty rights of the United States under its treaties with China; these rights have been emphasized and consistently asserted by the United States.

"In this, as in all matters similarly affecting the general right of its citizens to engage in commercial and industrial enterprises in China, it has been the traditional policy of the American Government to insist upon the doctrine of equality for the nationals of all countries, and this policy, together with the other policies mentioned in the note of May 13, 1915, which I have quoted, are consistently maintained by this government. I may say that it is with especial pleasure that the Government of the United States finds itself now engaged in the act of reaffirming and defining, and I hope that I may add, revitalizing, by the proposed Nine-Power Treaty these policies with respect to China."

This review of the action of the Conference in relation to China can not properly be closed without referring to the important declaration made by Baron Shidehara on behalf of the Japanese Delegation at the close of the Conference. In this declaration Baron Shidehara made clear what is meant by Japan in referring to her "special interests" in China. As thus defined these special interests are not claimed to connote either political domination or exclusive privileges or any "claim or pretension" prejudicial to China or to any other foreign nation, or any antagonism to the principle of the open door and equal opportunity. Baron Shidehara said:

"We are vitally interested in a speedy establishment of peace and unity in China and in the economic development of her vast natural resources. It is, indeed, to the Asiatic mainland that we must look primarily for raw materials and for the markets where our manufactured articles may be sold. Neither raw materials nor the markets can be had unless order, happiness, and prosperity reign in China, under good and

stable government. With hundreds of thousands of our nationals resident in China, with enormous amounts of our capital invested there, and with our own national existence largely dependent on that of our neighbor, we are naturally interested in that country to a greater extent than any of the countries remotely situated.

"To say that Japan has special interests in China is simply to state a plain and actual fact. It intimates no claim or pretension of any kind prejudicial to China or to any other foreign nation.

"Nor are we actuated by any intention of securing preferential or exclusive economic rights in China. Why should we need them? Why should we be afraid of foreign competition in the Chinese market provided it is conducted squarely and honestly? Favored by geographical position, and having fair knowledge of the actual requirements of the Chinese people, our traders and business men can well take care of themselves in their commercial, industrial, and financial activities in China, without any preference or exclusive rights.

"We do not seek any territory in China, but we do seek a field of economic activity beneficial as much to China as to Japan, based always on the principle of the open door and equal opportunity."

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Questions directly affecting Russian (or Siberian) interests were only two, viz., the question of the continued presence of Japanese troops in certain Russian territory, and that relating to the affairs of the Chinese Eastern Railway.

With respect to the first, statements were made by Japan and the United States and spread upon the minutes of the Conference. M. Sarraut, on behalf of France, also made a statement supporting in general terms the position of the United States and expressing confidence that Japan would fulfill its promises eventually to withdraw its forces from Russian territory, and in general to respect the integrity of Russia.

The statement by Baron Shidehara on behalf of Japan was as follows:

"The military expedition of Japan to Siberia was originally undertaken in common accord and in coöperation with the United States in 1918. It was primarily intended to render assistance to the Czecho-Slovak troops who in their homeward journey across Siberia from European Russia, found themselves in grave and pressing danger at the hands of hostile forces under German command. The Japanese and American expeditionary forces together with other Allied troops fought their way from Vladivostok far into the region

of the Amur and the Trans-Baikal Provinces to protect the railway lines which afforded the sole means of transportation of the Czecho-Slovak troops from the interior of Siberia to the port of Vladivostok. Difficulties which the Allied forces had to encounter in their operations in the severe cold winter of Siberia were immense.

"In January, 1920, the United States decided to terminate its military undertaking in Siberia, and ordered the withdrawal of its forces. For some time thereafter Japanese troops continued alone to carry out the duty of guarding several points along the Trans-Siberian Railways in fulfillment of Inter-Allied arrangements and of affording facilities to the returning Czecho-Slovaks.

"The last column of Czecho-Slovak troops safely embarked from Vladivostok in September, 1920. Ever since then Japan has been looking forward to an early moment for the withdrawal of her troops from Siberia. The maintenance of such troops in a foreign land is for her a costly and thankless undertaking, and she will be only too happy to be relieved of such responsibility. In fact, the evacuation of the Trans-Baikal and the Amur Provinces was already completed in 1920. The only region which now remains to be evacuated is a southern portion of the Maritime Province around Vladivostok and Nikolsk.

"It will be appreciated that for Japan the question of the withdrawal of troops from Siberia is not quite as simple as it was for other Allied Powers. In the first place, there is a considerable number of Japanese residents who had lawfully and under guarantees of treaty established themselves in Siberia long before the Bolshevik eruption, and were there entirely welcomed. In 1917, prior to the Joint American-Japanese military enterprise, the number of such residents was already no less than 9,717. In the actual situation prevailing there, those Japanese residents can hardly be expected to look for the protecton of their lives and property to any other authorities than Japanese troops. Whatever districts those troops have evacuated in the past have fallen into disorder, and practically all Japanese residents have had precipitately to withdraw, to seek for their personal safety. In so withdrawing, they have been obliged to leave behind large portions of their property, abandoned and unprotected, and their homes and places of business have been destroyed. While the hardships and losses thus caused the Japanese in the Trans-Baikal and the Amur Provinces have been serious enough, more extensive damages are likely to follow from the evacuation of Vladivostok in which a larger number of Japanese have always been resident and a greater amount of Japanese capital invested.

"There is another difficulty by which Japan is faced in proceeding to the recall of her troops from the Maritime Province. Due to geographical propinquity, the general situation in the districts around Vladivostok and Nikolsk is bound to affect the security of Korean frontier. In particular, it is known that these districts have long been the base of Korean conspiracies against Japan. Those hostile Koreans, joining hands with lawless elements in Russia, attempted in 1920 to invade Korea through the Chinese territory of Chientao. They set fire to the Japanese Consulate at Hunchun, and committed indiscriminate acts of murder and pillage. At the present time they are under the effective control of Japanese troops stationed in the Maritime Province, but they will no doubt renew the attempt to penetrate into Korea at the first favorable opportunity that may present itself.

"Having regard to those considerations, the Japanese Government have felt bound to exercise precaution in carrying out the contemplated evacuation of the Maritime Province. Should they take hasty action without adequate provision for the future they would be delinquent in their duty of affording protection to a large number of their nationals resident in the districts in question and of maintaining order and security in Korea.

"It should be made clear that no part of the Maritime Province is under Japan's military occupation. Japanese troops are still stationed in the southern portion of that Province, but they have not set up any civil or military administration to displace local authorities. Their activity is confined to measures of self-protection against the menace to their own safety and to the safety of their country and nationals. They are not in occupation of those districts any more than American or other Allied troops could be said to have been in occupation of the places in which they were formerly stationed.

"The Japanese Government are anxious to see an orderly and stable authority speedily reëstablished in the Far Eastern possessions of Russia. It was in this spirit that they manifested a keen interest in the patriotic but ill-fated struggle of Admiral Kolchak. They have shown readiness to lend their good offices for prompting the reconciliation of various political groups in Eastern Siberia. But they have carefully refrained from supporting one faction against another. It will be recalled, for instance, that they withheld all assistance from General Rozanow against the revolutionary movements which led to his overthrow in January, 1920. They maintained an attitude of strict neutrality, and refused to interfere in these movements, which it would have been quite easy for them to suppress if they had so desired.

"In relation to this policy of nonintervention, it may be useful to refer briefly to the past relations between the Japanese authorities and Ataman Semenoff, which seem to have been a source of popular misgiving and speculation. It will be remembered that the growing rapprochement between the Germans and the Bolshevik Government in Russia in the early part of 1918 naturally gave rise to apprehensions in the allied countries that a considerable quantity of munitions supplied by those countries and stored in Vladivostok might be removed by the Bolsheviks to European Russia for the use of the Germans. Ataman Semenoff was then in Siberia and was organizing a movement to check such Bolshevik activities and to preserve order and stability in that region. It was in this situation that Japan, as well as some of the Allies, began to give support to the Cossack chief. After a few months, such support by the other powers was discontinued. But the Japanese were reluctant to abandon their friend, whose efforts in the allied cause they had originally encouraged; and they maintained for some time their connection with Ataman Semenoff. They had, however, no intention whatever of interfering in the domestic affairs of Russia, and when it was found that the assistance rendered to the Ataman was likely to complicate the internal situation in Siberia, they terminated all relations with him, and no support of any kind has since been extended to him by the Japanese authorities.

"The Japanese Government are now seriously considering plans which would justify them in carrying out their decision of the complete withdrawal of Japanese troops from the Maritime Province, with reasonable precaution for the security of Japanese residents and of the Korean frontier regions. It is for this purpose that negotiations were opened some time ago at Dairen between the Japanese representatives and the agents of the Chita Government.

"Those negotiations at Dairen are in no way intended to secure for Japan any right or advantage of an exclusive nature. They have been solely actuated by a desire to adjust some of the more pressing questions with which Japan is confronted in relation to Siberia. They have essentially in view the conclusion of provisional commercial arrangements, the removal of the existing menace to the security of Japan and to the lives and property of Japanese residents in Eastern Siberia, the provision of guarantees for the freedom of lawful undertakings in that region, and the prohibition of Bolshevik propaganda over the Siberian border. Should adequate provisions be arranged on the line indicated the Japanese Government will at once proceed to the complete withdrawal of Japanese troops from the Maritime Province.

"The occupation of certain points in the Russian Province of Sakhalin is wholly different, both in nature and in origin, from the stationing of troops in the Maritime Province. History affords few instances similar to the incident of 1920 at Nikolaievsk, where more than seven hundred Japanese, including women and children, as well as the duly recognized Japanese Consul and his family and his official staff, were cruelly tortured and massacred. No nation worthy of respect will possibly remain forbearing under such a strain of provocation. Nor was it possible for the Japanese Government to disregard the just popular indignation aroused in Japan by the incident. Under the actual condition of things, Japan found no alternative but to occupy, as a measure of reprisal, certain points in the Russian Province of Sakhalin in which the outrage was committed, pending the establishment in Russia of a responsible authority with whom she can communicate in order to obtain due satisfaction.

"Nothing is further from the thought of the Japanese Government than to take advantage of the present helpless conditions of Russia for prosecuting selfish designs. Japan recalls with deep gratitude and appreciation the brilliant rôle which Russia played in the interest of civilization during the earlier stage of the Great War. The Japanese people have shown and will continue to show every sympathetic interest in the efforts of patriotic Russians aspiring to the unity and rehabilitation of their country. The military occupation of the Russian Province of Sakhalin is only a temporary measure, and will naturally come to an end as soon as a satisfactory settlement of the question shall have been arranged with an orderly Russian Government.

"In conclusion, the Japanese Delegation is authorized to declare that it is the fixed and settled policy of Japan to respect the territorial integrity of Russia, and to observe the principle of nonintervention in the internal affairs of that country, as well as the principle of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions."

The reply on behalf of the American Government which was made by the Secretary of State, reviewed the position which the United States had consistently maintained in diplomatic interchanges with Japan and maintained explicitly this attitude of protest. The statement is as follows:

"The American Delegation has heard the statement by Baron Shidehara and has taken note of the assurances given on behalf of the Japanese Government with respect to the withdrawal of Japanese troops from the Maritime Province of Siberia and from the Province of Sakhalin. The American

Delegation has also noted the assurance of Japan by her authorized spokesman that it is her fixed and settled policy to respect the territorial integrity of Russia, and to observe the principle of nonintervention in the internal affairs of that country, as well as the principle of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions.

"These assurances are taken to mean that Japan does not seek, through her military operations in Siberia, to impair the rights the Russian people in any respect, or to obtain any unfair or commercial advantages, or to absorb for her own use the Siberian fisheries, or to set up an exclusive exploitation either of the resources of Sakhalin or of the Maritime Province.

"As Baron Shidehara pointed out, the military expedition of Japan to Siberia was originally undertaken in common accord and in cooperation with the United States. It will be recalled that public assurances were given at the outset by both Governments of a firm intention to respect the territorial integrity of Russia and to abstain from all interference in Russian internal politics. In view of the reference by Baron Shidehara to the participation of the American Government in the expedition of 1918, I should like to place upon our records for transmission to the Conference the purposes which were then clearly stated by both Governments.

"The American Government set forth its aims and policies publicly in July, 1918. The purposes of the expedition were said to be, first, to help the Czecho-Slovaks consolidate their forces; second, to steady any efforts at self-government or self-defense in which the Russians themselves might be willing to accept assistance; and, third, to guard the military stores at Vladivostok.

"The American Government opposed the idea of a military intervention, but regarded military action as admissible at the time solely for the purpose of helping the Czecho-Slovaks consolidate their forces and get into successful coöperation with their Slavic kinsmen, and to steady any efforts at self-government or self-defense in which the Russians themselves might be willing to accept assistance. It was stated that the American Government proposed to ask all associated in this course of action to unite in assuring the people of Russia in the most public and solemn manner that none of the Governments uniting in action either in Siberia or in northern Russia contemplated any interference of any kind with the political sovereignty of Russia, any intervention in her internal affairs, or any impairment of her territorial integrity either now or thereafter, but that each of the Associated Powers had the single object of affording such aid

as should be acceptable, and only such aid as should be acceptable, to the Russian people in their endeavor to regain control of their own affairs, their own territory, and their own destiny.

"What I have just stated is found in the public statement of the American Government at that time.

"The Japanese Government, with the same purpose, set forth its position in a statement published by the Japanese Government on August 2, 1918, in which it was said:

" 'The Japanese Government, being anxious to fall in with the desires of the American Government and also to act in harmony with the Allies in this expedition, have decided to proceed at once to dispatch suitable forces for the proposed mission. A certain number of these troops will be sent forthwith to Vladivostok. In adopting this course, the Japanese Government remain unshaken in their constant desire to promote relations of enduring friendship with Russia and the Russian people, and reaffirm their avowed policy of respecting the territorial integrity of Russia and of abstaining from all interference in her internal politics. They further declare that, upon the realization of the projects above indicated, they will immediately withdraw all Japanese troops from Russian territory and will leave wholly unimpaired the sovereignty of Russia in all its phases, whether political or military.'

"The United States of America withdrew its troops from Siberia in the spring of 1920, because it considered that the original purposes of the expedition had either been accomplished or would not longer be subserved by continued military activity in Siberia. The American Government then ceased to be a party to the expedition, but it remained a close observer of events in Eastern Siberia and has had an extended diplomatic correspondence upon this subject with the Government of Japan.

"It must be frankly avowed that this correspondence has not always disclosed an identity of views between the two Governments. The United States has not been unmindful of the direct exposure of Japan to Bolshevism in Siberia and the special problems which the conditions existing there have created for the Japanese Government, but it has been strongly disposed to the belief that the public assurances given by the two Governments at the inception of the joint expedition nevertheless required the complete withdrawal of Japanese troops from all Russian territory—if not immediately after the departure of the Czecho-Slovak troops, then within a reasonable time.

"As to the occupation of Sakhalin in reprisal for the massacre of the Japanese at Nikolaievsk, the United States,

not unimpressed by the serious character of that catastrophe, but, having in mind the conditions accepted by both Governments at the outset of the joint expedition, of which the Nikolaievsk massacres must be considered an incident, it has regretted that Japan should deem necessary the occupation of Russian territory as a means of assuring a suitable adjustment with a future Russian Government.

"The general position of the American Government was set forth in a communication to Japan of May 31, 1921. In that communication appears the following statement:

"The Government of the United States would be untrue to the spirit of cooperation which led it, in the summer of 1918, upon an understanding which the Government of Japan, to dispatch troops to Siberia, if it neglected to point out that, in its view, continued occupation of the strategic centers in Eastern Siberia—involving the indefinite possession of the port of Vladivostok, the stationing of troops at Habarovsk, Nikolaievsk, De Castries, Mago, Sophiesk, and other important points, the seizure of the Russian portion of Sakhalin, and the establishment of a civil administration, which inevitably lends itself to misconception and antagonism—tends rather to increase than to allay the unrest and disorder in that region.

"'The military occupation'—I am still reading from the note of May 31, 1921—'The military occupation in reprisal for the Nikolaievsk affair is not fundamentally a question of the validity of procedure under the recognized rules of international law.'

"The note goes on to say that 'the issue presented is that of the scrupulous fulfillment of the assurances given to the Russian people, which were a matter of frank exchanges and of apparently complete understanding between the Government of the United States and of Japan. These assurances were intended by the Government of the United States to convey to the people of Russia a promise on the part of the two Governments not to use the joint expedition, or any incidents which might arise out of it, as an occasion to occupy territory, even temporarily, or to assume any military or administrative control over the people of Siberia.

"Further, in the same note, the American Government stated its position as follows:

"'In view of its conviction that the course followed by the Government of Japan brings into question the very definite understanding concluded at the time troops were sent to Siberia, the Government of the United States must in candor explain its position and say to the Japanese Government that the Government of the United States can neither now nor hereafter recognize as valid any claims or titles

arising out of the present occupation and control, and that it can not acquiesce in any action taken by the Government of Japan which might impair existing treaty rights or the political or territorial integrity of Russia.

"'The Government of Japan will appreciate that, in expressing its views, the Government of the United States has no desire to impute to the Government of Japan motives or purposes other than those which have heretofore been so frankly avowed. The purpose of this Government is to inform the Japanese Government of its own conviction that, in the present time of disorder in Russia, it is more than ever the duty of those who look forward to the tranquilization of the Russian people, and a restoration of normal conditions among them, to avoid all action which might keep alive their antagonism and distrust toward outside political agencies. Now, especially, it is incumbent upon the friends of Russia to hold aloof from the domestic contentions of the Russian people, to be scrupulous to avoid inflicting what might appear to them a vicarious penalty for sporadic acts of lawlessness, and, above all, to abstain from even the temporary and conditional impairment by any foreign Power of the territorial status which, for them as for other peoples, is a matter of deep and sensitive national feeling transcending perhaps even the issues at stake among themselves.'

"To that American note the Japanese Government replied in July, 1921, setting forth in substance what Baron Shidehara has now stated to this Committee, pointing out the conditions under which Japan had taken the action to which reference was made, and giving the assurances, which have here been reiterated, with respect to its intention and policy.

"While the discussion of these matters has been attended with the friendliest feeling, it has naturally been the constant and earnest hope of the American Government—and of Japan as well, I am sure—that this occasion for divergence of views between the two Governments might be removed with the least possible delay. It has been with a feeling of special gratification, therefore, that the American Delegation has listened to the assurances given by their Japanese colleague, and it is with the greatest friendliness that they reiterate the hope that Japan will find it possible to carry out within the near future her expressed intention of terminating finally the Siberian expedition and of restoring Sakhalin to the Russian people."

On behalf of the French Government M. Sarraut said—

"he gave his full and unreserved adherence to this resolution. In giving this unreserved adherence, he liked to remember that France was the oldest ally, perhaps, of Russia, and in

this respect it was with a particular feeling of gratification that he would state that he had listened with great pleasure to the exchange of views that had just taken place before the Committee between the representatives of the United States and Japan. The French Government would hear with the same feelings the formal assurance given by Baron Shidehara of the intention of the Japanese Government concerning Siberia; of Japan's desire to withdraw her troops from Russia as soon as possible; of its firm intention not to interfere in the domestic affairs of Russia; and of its firm purpose to respect the integrity of Russia.

"France had full trust in Japan, who had always proved a loyal and trustworthy friend. It was quite certain that this assurance would be carried out. France accepted this with all the more pleasure because it was exactly the program which the French Government had adopted in 1918 and which led them to interfere in Siberia under the same conditions as those set forth so exactly by the Secretary of State of the United States. At this point he could not fail to restate quite clearly France's intention, like that of her Allies, to respect the integrity of Russia, and to have the integrity of Russia respected, and not to interfere in her internal policy.

"France remained faithful to the friendship of Russia, which she could not forget. She entertained feelings of gratitude to the Russian people, as she did to her other Allies. Russia had been her friend of the first hour, and she was loyal; she had stuck to her word until the Russian Government was betrayed in the way with which those present were familiar. France also remained faithful to the hope that the day would come when through the channel of a normal and regular government great Russia would be able to go ahead and fulfill her destiny. Then it would be good for her to find unimpaired the patrimony that had been kept for her by the honesty and loyalty of her allies. It was with this feeling that the French Delegation with great pleasure concurred in the adoption of the present resolution."

These statements did not immediately effect a change in the Siberian situation but they were nonetheless of the utmost importance. In the first place, the position of the United States was publicly and definitely reasserted. Further, while Japan did not fix a date for the withdrawal of her troops, she did give the most solemn and comprehensive assurance to all the Powers represented in the Conference of her fixed and settled policy "to respect the territorial integrity of Russia, and to observe the principle of nonintervention in the internal affairs of that country, as well as the principle of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions."

This constitutes a pledge which no doubt will be fully redeemed. While Japan has not fixed the date for the withdrawal of her troops from Siberia, she has renounced all claims of territorial aggrandizement, of political domination, or of exclusive or preferential privilege.

474. Chinese Eastern Railway

The other question affecting Siberian interests directly, that is, that of the Chinese Eastern Railway, was also of the nature of a continuing diplomatic problem insusceptible of definite disposition at the Conference. This railway involves a great complexity of international interests; that of the United States is to assure its continued operation as a free avenue of commerce, to discharge the responsibility for the railroad which the United States assumed to some extent in 1919 in cooperation with Japan and four other Powers in an arrangement for the supervision and assistance of this and other links in the Trans-Siberian system, and to recover its just claims for advances.

In order to ascertain what, if anything, the Conference might usefully do to preserve the railway and increase its technical efficiency, the Committee on Pacific and Far Eastern Questions, and its technical sub-committee, gave the problem the most careful consideration.

It was finally found to be impossible to do more than to adopt the following resolution:

"*Resolved*, That the preservation of the Chinese Eastern Railway for those in interest requires that better protection be given to the railway and the persons engaged in its operation and use, a more careful selection of personnel to secure efficiency of service, and a more economical use of funds to prevent waste of the property; that the subject should immediately be dealt with through the proper diplomatic channels."

The Powers other than China made the following reservation:

"The Powers other than China in agreeing to the resolution regarding the Chinese Eastern Railway reserve the right to insist hereafter upon the responsibility of China for performance or nonperformance of the obligations towards the foreign stockholders, bondholders, and creditors of the Chinese Eastern Railway Company which the Powers deem to result from the contracts under which the railroad was built and the action of China thereunder and the obligations which they deem to be in the nature of a trust resulting from the exercise of power by the Chinese Government over the possession and administration of the railroad."

While, as thus appears, it proved to be necessary to leave these questions for future diplomatic adjustment, not a little was accomplished in ascertaining and clarifying the

views of the various governments. The discussions established unanimity among the Powers, other than China, as to the immediate need for more adequate protection of the railway and the impracticability of obtaining financial support without effective financial control, assuring the economical operation of the railway. The Conference effectively recognized Chinese sovereign rights in respect to the railway, but in the reservation above quoted made clear to China the immense responsibilities she might incur by a reckless use of her sovereign prerogatives. The Chinese delegates were impressed by this aspect of the question, and it is understood that they have already recommended to their Government that it take measures immediately and spontaneously to improve the military protection of the railway. It has been suggested to the Chinese delegates also, and has won a certain favorable response from them, that China would be well advised to take the initiative in the diplomatic interchanges which will ensue as a result of the resolution adopted, in requesting at once the cooperation of the other Powers in maintaining the railway. It may prove possible to arrive at practical results in this way while preserving Chinese sovereignty and amour propre. General assent was obtained at the Conference to the continuance in force of the agreement of 1919 for the supervision of the railway.

475. Mandated Islands

For some time there have been negotiations between the United States and Japan in relation to the so-called mandated islands in the Pacific Ocean north of the Equator. While the Conference was in session these negotiations resulted in an agreement between the American Government and the Japanese Government, which is to be embodied in a treaty. The points of the agreement are as follows:

1. It is agreed that the United States shall have free access to the Island of Yap on the footing of entire equality with Japan or any other nation, in all that relates to the landing and operation of the existing Yap-Guam cable or of any cable which may hereafter be laid by the United States or its nationals.

2. It is also agreed that the United States and its nationals are to be accorded the same rights and privileges with respect to radiotelegraphic service as with regard to cables. It is provided that so long as the Japanese Government shall maintain on the Island of Yap an adequate radiotelegraphic station, cooperating effectively with the cables and with other radio stations on ships and shore, without discriminatory exactions or preferences, the exercise of the right to establish radiotelegraphic stations at Yap by the United States or its nationals shall be suspended.

3. It is further agreed that the United States shall enjoy in the Island of Yap the following rights, privileges, and exemptions in relation to electrical communications:

(*a*) Rights of residence without restriction; and rights of acquisition and enjoyment and undisturbed possession, upon a footing of entire equality with Japan or any other nation or their respective nationals of all property and interests, both personal and real, including lands, buildings, residences, offices, works, and appurtenances.

(*b*) No permit or license to be required for the enjoyment of any of these rights and privileges.

(*c*) Each country to be free to operate both ends of its cables either directly or through its nationals including corporations or associations.

(*d*) No cable censorship or supervision of operation or messages.

(*e*) Free entry and exit for persons and property.

(*f*) No taxes, port, harbor or landing charges, or exactions, either with respect to operation of cables or to property, persons, or vessels.

(*g*) No discriminatory police regulations.

4. Japan agrees that it will use its power of expropriation to secure to the United States needed property and facilities for the purpose of electrical communication in the Island, if such property or facilities can not otherwise be obtained. It is understood that the location and area of land to be so expropriated shall be arranged each time between the two Governments, according to the requirements of each case. American property and facilities for the purpose of electrical communication in the Island are to be exempt from the process of expropriation.

5. The United States consents to the administration by Japan of the mandated islands in the Pacific Ocean north of the Equator subject to the above provisions with respect to the Island of Yap, and also subject to the following conditions:

"(*a*) The United States is to have the benefit of the engagements of Japan set forth in the mandate, particularly those as follows:

"ARTICLE 3.

"The Mandatory shall see that the slave trade is prohibited and that no forced labour is permitted, except for essential public work and services, and then only for adequate remuneration.

"The Mandatory shall also see that the traffic in arms and ammunition is controlled in accordance with principles

analogous to those laid down in the Convention relating to the control of the arms traffic, signed on September 10th, 1919, or in any convention amending same.

"The supply of intoxicating spirits and beverages to the natives shall be prohibited."

"ARTICLE 4.

"The military training of the natives, otherwise than for purposes of internal police and the local defense of the territory, shall be prohibited. Furthermore, no military or naval bases shall be established or fortifications erected in the territory."

"(*b*) With respect to missionaries, it is agreed that Japan shall ensure complete freedom on conscience and the free exercise of all forms of worship, which are consonant with public order and morality, and that missionaries of all such religions shall be free to enter the territory, and to travel and reside therein, to acquire and possess property, to erect religious buildings, and to open schools throughout the territory. Japan shall, however, have the right to exercise such control as may be necessary for the maintenance of public order and good government, and to take all measures required for such control.

"(*c*) Japan agrees that vested American property rights will be maintained and respected.

"(*d*) It is agreed that the treaties between the United States and Japan now in force shall apply to the mandated islands.

"(*e*) It is agreed that any modifications in the Mandate are to be subject to the consent of the United States, and, further, that Japan will address to the United States a duplicate report on the administration of the Mandate."

No agreement has yet been made with respect to the so-called mandated islands in the Pacific Ocean south of the Equator. The assent of the United States to these mandates has not yet been given, and the subject is left to negotiations between the United States and Great Britain.

No action was taken with respect to electrical communications in the Pacific. The allocation of the former German cables are matters to be dealt with by the five Principal Allied and Associated Powers and will be the subject of diplomatic negotiations.

476. General summary

To estimate correctly the character and value of these several treaties, resolutions and formal declarations they should be considered as a whole. Each one contributes its part in combination with the others towards the establish-

ment of conditions in which peaceful security will take the place of competitive preparation for war.

The declared object was, in its naval aspect, to stop the race of competitive building of warships which was in process and which was so distressingly like the competition that immediately preceded the war of 1914. Competitive armament, however, is the result of a state of mind in which a national expectation of attack by some other country causes preparation to meet the attack. To stop competition it is necessary to deal with the state of mind from which it results. A belief in the pacific intentions of other powers must be substituted for suspicion and apprehension.

The negotiations which led to the Four Power Treaty were the process of attaining that new state of mind, and the Four Power Treaty itself was the expression of that new state of mind. It terminated the Anglo-Japanese alliance and substituted friendly conference in place of war as the first reaction from any controversies which might arise in the region of the Pacific; it would not have been possible except as part of a plan including a limitation and a reduction of naval armaments, but that limitation and reduction would not have been possible without the new relations established by the Four Power Treaty or something equivalent to it.

The new relations declared in the Four Power Treaty could not, however, inspire confidence or be reasonably assured of continuance without a specific understanding as to the relations of the powers to China. Such an understanding had two aspects. One related to securing fairer treatment of China, and the other related to the competition for trade and industrial advantages in China between the outside powers.

An agreement covering both of these grounds in a rather fundamental way was embodied in the first article of the general Nine Power Treaty regarding China. In order, however, to bring the rules set out in that article out of the realm of mere abstract propositions and make them practical rules of conduct it was necessary to provide for applying them so far as the present conditions of government and social order in China permit. This was done by the remaining provisions of the general Nine Power Treaty and Chinese Customs Treaty and the series of formal resolutions adopted by the Conference in its Plenary Sessions and the formal declarations made a part of the record of the Conference.

The scope of action by the Conference in dealing with Chinese affairs was much limited by the disturbed conditions of government in China which have existed since the revolution of 1911, and which still exist, and which render effective

action by that government exceedingly difficult and in some directions impracticable. In every case the action of the Conference was taken with primary reference to giving the greatest help possible to the Chinese people in developing a stable and effective government really representative of the people of China. Much was accomplished in that direction, and the rules of conduct set forth in the first article of the General Treaty regarding China have not merely received the assent of the Powers but have been accepted and applied to concrete cases.

The sum total of the action taken in the Conference regarding China, together with the return of Shantung by direct agreement between China and Japan, the withdrawal of the most unsatisfactory of the so-called "twenty-one demands," and the explicit declaration of Japan regarding the closely connected territory of Eastern Siberia, justify the relation of confidence and good will expressed in the Four Power Treaty and upon which the reduction of armament provided in the Naval Treaty may be contemplated with a sense of security.

In conclusion we may be permitted to quote the words of the President in closing the Conference:

"This Conference has wrought a truly great achievement. It is hazardous sometimes to speak in superlatives, and I will be restrained. But I will say, with every confidence, that the faith plighted here to-day, kept in national honor, will mark the beginning of a new and better epoch in human progress.

"Stripped to the simplest fact, what is the spectacle which has inspired a new hope for the world? Gathered about this table nine great nations of the world—not all, to be sure, but those most directly concerned with the problems at hand—have met and have conferred on questions of great import and common concern, on problems menacing their peaceful relationship, on burdens threatening a common peril. In the revealing light of the public opinion of the world, without surrender of sovereignty, without impaired nationality or affronted national pride, a solution has been found in unanimity, and to-day's adjournment is marked by rejoicing in the things accomplished. If the world has hungered for new assurance, it may feast at the banquet which the Conference has spread.

"I am sure the people of the United States are supremely gratified, and yet there is scant appreciation how marvelously you have wrought. When the days were dragging and agreements were delayed, when there were obstacles within and hindrances without, few stopped to realize that here was a conference of sovereign powers where only unanimous agree-

ment could be made the rule. Majorities could not decide without impinging national rights. There were no victors to command, no vanquished to yield. All had voluntarily to agree in translating the conscience of our civilization and give concrete expression to world opinion.

"And you have agreed in spite of all difficulties, and the agreements are proclaimed to the world. No new standards of national honor have been sought, but the indictments of national dishonor have been drawn, and the world is ready to proclaim the odiousness of perfidy or infamy. . . .

"It has been the fortune of this Conference to sit in a day far enough removed from war's bitterness, yet near enough to war's horrors, to gain the benefit of both the hatred of war and the yearning for peace. Too often, heretofore, the decades following such gatherings have been marked by the difficult undoing of their decisions. But your achievement is supreme because no seed of conflict has been sown, no reaction in regret or resentment ever can justify resort to arms.

"It little matters what we appraise as the outstanding accomplishments. Any one of them alone would have justified the Conference. But the whole achievement has so cleared the atmosphere that it will seem like breathing the refreshing air of a new morn of promise.

"You have written the first deliberate and effective expression of great powers, in the consciousness of peace, of war's utter futility, and challenged the sanity of competitive preparation for each other's destruction. You have halted folly and lifted burdens, and revealed to the world that the one sure way to recover from the sorrow and ruin and staggering obligations of a world war is to end the strife in preparation for more of it, and turn human energies to the constructiveness of peace.

"Not all the world is yet tranquillized. But here is the example, to imbue with new hope all who dwell in apprehension. At this table came understanding, and understanding brands armed conflict as abominable in the eyes of enlightened civilization." . . .

"No intrigue, no offensive or defensive alliances, no involvements have wrought your agreements, but reasoning with each other to common understanding has made new relationships among Governments and peoples, new securities for peace, and new opportunities for achievement and attending happiness.

"Here have been established the contacts of reason, here have come the inevitable understandings of face-to-face exchanges when passion does not inflame. The very atmos-

phere shamed national selfishness into retreat. Viewpoints were exchanged, differences composed, and you came to understand how common, after all, are human aspirations; how alike, indeed, and how easily reconcilable are our national aspirations; how sane and simple and satisfying to seek the relationships of peace and security.

"When you first met, I told you of our America's thought to seek less of armament and none of war; that we sought nothing which is another's, and we were unafraid, but that we wished to join you in doing that finer and nobler thing which no nation can do alone. We rejoice in that accomplishment." . . .

Respectfully submitted.

CHARLES E. HUGHES.
HENRY CABOT LODGE.
OSCAR W. UNDERWOOD.
ELIHU ROOT.

WASHINGTON, D. C., *February 9, 1922.*

In summarizing the results of the Washington Conference, Professor Willoughby, whose *China at the Conference* has been previously quoted, asks an important question: "Has a fundamental change of policy on the part of the Powers been effected?" He points out that the statement of Premier Briand of France at the Conference that "disarmament must be moral as well as material" applies to the settlement of Far Eastern questions as fully as it does to those of Europe. He then proceeds with several considerations of what the future may hold for China.

477. The future

What the future is to bring forth will depend in large measure upon the answer it gives to the question stated in the preceding paragraph. If we analyze this question into its chief parts they will be found to be the following: (1) the extent to which Japan, in reversal of its former policies, will be guided and controlled by a strict regard for the spirit as well as for the letter of its international engagements, and will sincerely seek, or, at least avoid the placing of obstacles in the way of, the welfare of its great neighbors, China and Russia; (2) the extent to which Great Britain and the United States will coöperate in the Far East; and (3) the extent to which China herself will exhibit a power to make use of

the opportunity that the Powers have agreed to give her to establish and maintain for herself a strong central government and to create efficiently operated public administrative services.

Japan's needs

That Japan's economic and political future is bound up in her ability to import increasing amounts of foodstuffs and raw materials for her manufacturing establishments there can be no doubt. It appears to be now evident to the Japanese themselves that immigration does not furnish them with a solution to the problem presented by their increasing population:—their emigrants will not be received by those countries which supply the conditions under which they can economically flourish, and experience has shown that they cannot successfully compete with the natives of Asia or Polynesia. Even in Korea, where they have had the aid of their own government and of colonization societies, the Japanese have shown themselves unable to supplant the Koreans.

Unless, then, the population of Japan proper ceases to increase, the islands will have to continue that process of industrialization and commercialization which has already made such considerable progress. This, in turn, will mean that increasing amounts of foodstuffs and raw materials for manufacturing will have to be imported. For these, as the Japanese Delegation several times frankly said in the Conference, Japan will look especially to China, and, they might have added, to Eastern Siberia. Respect for the rights of these countries as well as for those of the other Powers and for her own covenants will require that Japan should take her chances in the open competitive market in order to obtain these necessities for her national economic existence. It may be safely assumed, however, that she will at least seek by every legitimate means possible to increase her investments in China and especially in Manchuria and Mongolia, and also in Eastern Siberia, in order that she may have increased assurance of obtaining the supplies her peoples and industries will demand. It is also to be expected that she will be especially insistent that law and order are maintained in those regions in order that no serious impediments may be placed in the way of the production, sale and shipment of these supplies.

This is as far as Japan, in this respect, can legitimately go, for she cannot validly appeal to her own economic necessities in order to justify her in taking from another friendly country what she conceives herself to need—that would be to take a leaf out of the book of Prussian political philosophy—and furthermore, it is clear that, so far as Manchuria and Mongolia are concerned, China already needs them as outlets for her own rapidly expanding populations, and soon

will need their mineral resources for her own developing industries.

The United States and Great Britain in the Far East

As regards the second factor that is likely to determine the future in the Far East—the extent to which Great Britain and the United States will coöperate—it need only be said that harmonious action upon the part of these the two most powerful States of the world, must necessarily be efficient to secure the results aimed at, and that the present indications are that this entente exists. This, of course, does not mean that any secret or formulated understanding has been arrived at between these two Powers, but that their governments see clearly that it is to their mutual advantage as well as to the advantage of the other Powers, including China and even Japan, that peace shall be preserved in the Far East; that the Open Door doctrine shall be observed; and that the sovereignty and administrative integrity of China shall be respected. Those who watched carefully the proceedings of the Washington Conference and were in a position to judge intelligently the forces operating to bring about the results that were reached, know how close was the coöperation between Great Britain and the United States, and how nearly eye to eye these two Powers now stand in their Far Eastern policies. The abrogation of the Anglo-Japanese Alliance is, of course, of especial significance in this respect, since it leaves Great Britain free to pursue, without embarrassment, this Anglo-American community of opinion andinterest.

The greatest problem of all

The last factor in the Far Eastern political future is China herself. After all, upon her will rest the greatest responsibility lor what the next few years are to bring forth in her part of the world. She is now to have the opportunity to give substance to her claim to sovereignty and reality to her administrative integrity. A State that claims that sovereignty and independence shall be scrupulously respected by other States gives the implied assurance that it is able to exercise a reasonable amount of effective political control over the territories and peoples which it claims as its own. China cannot, therefore, ask of these States that they exercise a forbearance towards herself for a longer period than is reasonably necessary for her to place her own household in order, and thus to be in a position not only to fulfill her own international obligations but to promote the welfare of her own peoples. At any rate it is necessary that she should make steady even if only slow political progress. Thus there now rests upon China the immediate duty of reducing her military forces to a reasonable number and of bringing them into due subordination to the civil authorities; of creating and operating efficient administrative services; of purging her politics of corruption; and, in general, of establishing a stable

Central Government which will command the respect and obedience of all of her millions of people. Especially must her patriotic leaders maintain unremitting vigilance that no commitments are made that will impose new restraints upon her freedom of action or which will sacrifice economic rights which should be retained for the exclusive benefit of her own citizens. Against the possibility of such improvident or disloyal action upon the part of her own government or officials, no Conference of Powers could protect her except by denying to her the exercise of treaty and other rights which belong to her as a sovereign State and which, of course she would not be willing to surrender.

It is the writer's opinion that, by their actions in the Washington Conference, the Western Powers have shown a real disposition to release China from the limitations upon her administrative autonomy as rapidly as existing conditions in China fairly warrant them in doing so. They are now in a frame of mind, he believes, that will lead them to grant further relief to China if China can exhibit to them the picture of a united people with a stable and efficient national Government. Aside, however, from what she is able to do for herself, China needs to be especially anxious as to the course of Japanese influence in Manchuria and Mongolia. Japan, it is clear from the unambiguous statements made in the Conference, will be loath to surrender her lease of the Liaotung Peninsula and her railways and other rights in Manchuria. But, even as to these, the query may be raised whether, through the "good offices" of the other Powers some satisfactory situation between China and Japan may not be brought about. So conspicuously successfully were the Shantung Conversations in clearing up that most disturbing controversy between the two countries, one is encouraged to ask whether similar good results might not be secured with reference to the remaining provisions of the Treaties to Agreements of 1915, if Great Britain and the United States would again extend their "good offices" for the purpose, and the Governments of China and Japan be persuaded to accept and employ them. It is scarcely conceivable that China would refuse such an offer, and it is likely that Japan would do the same if she can secure in her own country a due control of the militaristic forces which, unhappily for her and for her neighbors, have, during recent years, exercised such predominant control. And this suggests what probably should have been included as a fourth factor in the Far Eastern situation,—the course of constitutional and political development in Japan. Is she to obtain a type of government and to apply principles of political right which will bring her into true fellowship with the other enlightened nations of the

Manchuria and Mongolia

Japan's government

world, or is she to remain under the domination of her bureaucrats and militarists?

## SUPPLEMENTARY READINGS

**See references to preceding chapter, and also:** *Official Documents Relating to the War* (for the Year 1917), *Ministry of Foreign Affairs,* (Peking); WHEELER, *China and the World-War* (New York, 1919); MILLARD, *Democracy and the Eastern Question;* MACMURRAY, *Treaties and Agreements,* Vol. II; REINSCH, *An American Diplomat in China; Conference on the Limitation of Armament, Senate Document No. 126, 67th Congress, 2d Session* (Washington, 1922); WILLOUGHBY, *China at the Conference—A Report* (Baltimore, 1922); GALLAGHER, *America's Aims and Asia's Aspirations* (New York, 1920); SUN YAT SEN, *The International Development of China* (Shanghai, 1920); LANSING, *The Peace Negotiations* (Boston and New York, 1921), WOODHOUSE AND BELL, *China Year Book,* 1921–2: Chaps. XXIII, XXX (Tientsin, 1921).

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